

DOCUMENTARY HISTORY

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OF

EDUCATION

IN UPPER CANADA

(ONTARIO)



1790-1830



max Empire Sup 33  
Saturday, April 3, 1926.

## Mr. & Mrs. Tyler's Boarding School

*At Old Niagara—in the Year 1802.*

*Below is an exact copy of an interesting card printed in 1802, being the prospectus of Mr. and Mrs. Tyler's Boarding School, at Old Niagara, announced one hundred and twenty-four years ago. The historian who kindly sent it to us treats the appeal as though it were being made to-day and introduces it to this page thus: "Womanly sympathy may prompt the Head Gardener to help a struggling but honest pair of sirivers for the good of their fellow-creatures." Can anyone give the further information as to the actual running of the Tyler's school? Did it eventuate—and was it a success in teaching "religion and good morals" to the youth of Old Niagara? This should prove of special interest and value to the educationists meeting in Toronto next week!*

Mr. and Mrs. Tyler take the liberty of informing the public that on Monday, the 1st of February, they will open their school for young people—men and ladies. They will keep a regular day school and night school. Children of each sex, above the age of four years, will be received, and the price will be in proportion to the kind of instruction the parents may wish their children to receive. They will teach in reading, writing and arithmetic. The young ladies will be instructed in all that is necessary for persons of their sex to appear decently and be useful in the world, and of all that concerns housekeeping, either for those who wish to live in town or country.

The situation is healthy and agree-

able, and the house suitable for a number of boarders. People who, during the heat of Summer, may be advised to move for change of air, will meet with proper lodging, health and cheap boarding. Finally, nothing shall be neglected for health, instruction, religion and good morals, and they hope their endeavors to satisfy the public will more and more merit protection and encouragement.

Mrs. Tyler having been bred in the line of mantua-maker will receive and do her work in the neatest manner to the satisfaction of those who may honor her with their custom.

She embraces this opportunity to render her sincere thanks for the protection, she has received to this day.



W. E. Macpherson

Strachan's Report

265-8.







J.H

Ontario Dept. of Education

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DOCUMENTARY HISTORY

OF

EDUCATION IN UPPER CANADA

FROM THE PASSING OF THE

CONSTITUTIONAL ACT OF 1791.

TO THE

CLOSE OF REV. DR. RYERSON'S ADMINISTRATION  
OF THE EDUCATION DEPARTMENT  
IN 1876.

VOL. I: 1790-1830.

Edited, under the direction of the Honourable the Minister of Education, with Explanatory Notes,

BY

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BARRISTER-AT-LAW,

LIBRARIAN AND HISTORIOGRAPHER TO THE EDUCATION DEPARTMENT OF ONTARIO.



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# DOCUMENTARY HISTORY

OF

# EDUCATION IN UPPER CANADA

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## PREFATORY REMARKS.

The desire to place upon permanent record the original documents and papers relating to the early history of a country is all but universal.

Such a collection, when made, is invaluable to the historian, as furnishing him with satisfactory materials for authentic history.

This being the Jubilee Year of my official connection with Education in this Province,\* I have been enabled, in the interval, to gather up and preserve a number of documents and papers relating to the "evolution," if it may be so called, of our three-fold scheme of education—primary, intermediate and superior. Many of these papers are official and Parliamentary. Some are fugitive, taken from pamphlets, while others are desultory, copied from the local press of the times. All, however, converge on the one point; and each illustrates, in various ways, the growth and development of the "Educational Idea" in Upper Canada.

It may appear singular to those of the present day, when they are informed of the large space, out of all reasonable proportion, which the Educational Centres, (as they really were,) of by-gone days filled in the estimation of the then public of Upper Canada. Such centres were few and far between, but they were noted of their kind. Even in our own times we frequently hear of the excellence and widespread influence of the late Bishop Strachan's Schools—first at Kingston, then at Cornwall, and lastly in "The Old Blue School" at York. The celebrity of the Ernestown, or Bath, Academy, may have been increased from the fact that, at it, was chiefly educated by his Father—its Master—

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\* I entered the Education Department on the Reverend Doctor Ryerson's appointment as its Head, in September, 1844—nearly fifty years ago.



a man so eminent in his profession, and so distinguished in the history of Upper Canada as was MARSHALL SPRING BIDWELL,—a gifted Member of the House of Assembly in its early days, and its Speaker for some time.

Then, the success of the Newburgh Academy was noted in our own times ; and in it, as one of its latest Principals, the Reverend Doctor NELLES, first learned those lessons in the art of teaching and government, which he afterwards turned to such excellent account as the gifted President, for so many years, of Victoria University.

Again, in the London District School, in the early twenties, the FOUNDER of our educational system tried his “prentice hand” as an instructor of youth, first as Usher, under his able brother GEORGE, and afterwards as a Teacher-in-charge. He acted in both capacities with that success which was characteristic of the distinguished Man which he became in after years.

No less noted and important, as an educational centre, was the Grantham Academy, founded in St. Catharines, in 1827, on a lot given for that purpose by one, to whom Canada owes so much,—the Honourable WILLIAM HAMILTON MERRITT,—the last President of the Academy Board ; a gentleman who, in 1850, introduced into our House of Assembly and had passed into a law, an Act endowing forever the Public Schools of the then Province of Canada with the rich dowry of One Million Acres of the Crown Lands.

The educational history of Upper Canada, as narrated in this Volume, divides itself into several distinct epochs :

The first might be considered, in the expressive words of Governor-General Lord Elgin, when speaking of an educational feature of the work in his time, as the “seed-plot” of those educational institutions which sprung up as the years progressed. At all events, the munificent Royal Grant in 1797, of over half a million of acres of land, has formed the financial basis of the Toronto University, of the Royal Grammar School and Upper Canada College, and of the (Church of England National) Central School of Upper Canada.

The second period in our educational history was noted for the establishment of District (Grammar) Schools in 1807, 1808 ; and of the Township Common Schools in 1816-1820.



The record of the third period of educational progress includes the Establishment and Endowment of Upper Canada College in 1829, 1830, and of other local schools of note. The documents and papers relating to the establishment of these institutions, given as fully as the records would permit, are inserted in this the First Volume of the Educational History of Upper Canada.

The question naturally arises : what first awakened the desire to establish schools and promote education in this Province? In his Address, at the opening of King's College, (now the University of Toronto,) in 1843, the Right Reverend Doctor Strachan—himself a prominent and noted educationist in Upper Canada—answers the question. He says :

“When the Independence of the United States of America was recognized by Great Britain in the peace of 1783, this Province became the asylum of those faithful subjects of the Crown, who had, during the Revolutionary War, adhered to their King and the ‘Unity of the Empire.’ And it is pleasing to remark, that in 1789,—a little more than five years after their first settlement,—they presented a Memorial to His Excellency Lord Dorchester, (Sir Guy Carleton,) then Governor-General of British North America, on the subject of Education ; in which, after lamenting the state of their children growing up without any instruction, religious or secular,—they requested His Lordship to establish a respectable Seminary at Kingston, which was, at that early period, the principal Town in this division of the Colony. To this representation Lord Dorchester paid immediate attention, and gave directions to the Surveyor-General to set apart eligible portions of land for the future support of Schools in all the new settlements.”

Animated by the same spirit as possessed these early Colonists, the United Empire Loyalists established Schools of a superior class early in the century in the chief centres of their Settlements,—such as Kingston, Cornwall, Bath, York, St. Catharines, and afterwards at Newburgh. Soon a Grammar School was established in every District, and ultimately the Common School, fashioned by the Loyalists on the New England pattern, was put into operation in every settled Township of the Province.”\*

It is gratifying to know that the United Empire Colonists from New England to Canada in 1783-1788, were true to their early British

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\* In “the Colonial Chapter in the History of American Education,” in *Bedford's Magazine* for May 1877, (transferred to the *Ryerson Memorial Volume of 1889*), I have traced the origin and growth of the early Puritan movement in New England in favour of education, and have pointed out the influence of that movement on the United Empire Loyalists, in their efforts to establish schools in Upper Canada.



Colonial convictions and instincts, as to the necessity of schools for their children. They carried with them that English love for learning, for its own sake, which characterized the founders of Massachusetts. President Walker of Harvard University, in his Inaugural Address of 1853, said :

“What most distinguishes the early settlers of Massachusetts, is the interest and care they took in education, and especially in the institution of a system of Common Schools, to be sustained at the public charge. Here they were first. In other things they thought wisely and acted nobly; but in this and perhaps in this alone, they were original. . . . But the founders and early settlers of Massachusetts did not limit their views of Education to Common Schools. Many of their leading men had studied at the English Universities and were imbued with, or at least could appreciate, the highest scholarship of that day. They also knew, on general grounds, and, as practical men, that the public good requires the advancement, as well as the diffusion, of knowledge; in short, that both must go together; that the streams will soon cease, if the fountains fail.”

As to the British origin and character of these New England Schools, Professor CHARLES SPRAGUE SMITH, M.A., of Columbia College, in an essay on Colonial Colleges, says :

“In New England the higher system of general education, brought over from Old England, was divided here, as there, into the two studies: of the College and the Grammar School; the latter being superseded in quite recent times by the so-called Academy. The curriculum of the American, (or Colonial,) College was, in the main, modelled upon that of the Parent Country.”

General Eaton, for so many years the distinguished United States Commissioner of Education, at Washington, in his comprehensive Report of 1875, says :

“History, with hardly a dissenting voice, accords to the English Colonists of New England, the credit of having developed those forms of action, in reference to the education of children, which contained more than any other the distinct features of the systems adopted in this country.”

Thus it will be seen that, through the United Empire Loyalists and their English Forefathers, we, as a Province, have come honestly and honourably by our zeal for education in “This Canada of Ours.”



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It is but due to these early Pioneers of Education in Upper Canada, not only as teachers, but also as legislators, that we of the present day should, therefore, learn something of their joint efforts to secure to the youth of their day the benefits of that education which is now the rich heritage of this Province.

I have spoken of the success of the Pioneer Teachers of Upper Canada, but the efforts of the early Educationists—of the chief of them—Governor SIMCOE, of CHARLES DUNCOMBE, MAHLON BURWELL, WILLIAM WARREN BALDWIN, JOHN ROLPH, WILLIAM MORRIS and others, were no less valuable, as they each, in the position which they occupied, exerted themselves to promote the Educational Interests of this Province; and they have left their mark on the educational Legislation which followed their patriotic and persistent efforts in this direction for the good of the country.

J. GEORGE HODGINS,

LIBRARIAN AND HISTORIOGRAPHER OF THE  
EDUCATION DEPARTMENT FOR ONTARIO.

TORONTO, 4th June, 1894.

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# CONTENTS.

	PAGE.
PREFATORY REMARKS BY THE EDITOR.....	i
 I. SOME PRELIMINARY CORRESPONDENCE :	
1. The Honourable Wm. T. Harris, LL.D., Washington .....	3
2. Charles Lindsay, Esquire, Toronto .....	3
3. John M. McMullen, Esquire, Brockville .....	4
4. William Kingsford, Esquire, C.E., Ottawa .....	4
5. James Bain, Jr., Esquire, Toronto .....	4
6. The Reverend Canon Scadding, D.D., Toronto .....	5
 II. SKETCH OF LIEUTENANT-GOVERNOR JOHN GRAVES SIMCOE .....	
1. Lieutenant-Colonel Simcoe as a Governor .....	7
 III. GOVERNOR SIMCOE AND BISHOP STRACHAN .....	
 IV. CHARACTER OF THE "SIMCOE PAPERS" .....	
Remarks of George Coventry, Esquire, Historiographer on these and other Historical Papers in 1863 .....	10
Extracts from the Simcoe Correspondence.....	11
1. Governor Simcoe to Sir Joseph Banks, 1791 .....	11
2. The same to the Right Honourable Henry Dundas, 1792 .....	11
3. Secretary Dundas to Governor Simcoe, 1792 .....	11
4. Governor Simcoe to Secretary Dundas, 1792 .....	12
5. The same to the first Church of England Bishop of Quebec, 1795 .....	12
6. The same to the same, 1795.....	13
7. Governor Simcoe to the Duke of Portland, 1795 .....	13
8. The same to the Bishop of Quebec, 1796.....	14
9. The Duke of Portland to Governor Simcoe, 1796.....	14
10. Governor Simcoe to the Duke of Portland, 1796.. .....	14
 NOTE.—No Journals of the Upper Canada Legislature are available for the years, 1794, 1795, 1796, or 1797.	
 V. CHANGE OF GOVERNORS, AND SKETCHES OF THEM .....	
Personal sketches of these Governors .....	15
(1) Sir Guy Carleton (Lord Dorchester), 1725-1808 .....	15
(2) General Sir Robert Prescott, 1725-1815 .....	15
(3) Sir Robert Shore Milnes, 1746-1836.....	15
(4) Major-General Peter Hunter, 1746-1805.....	15
(5) The Honourable Peter Russell, 17—1808 .....	16
 VI. THE PRESIDENT RUSSELL CORRESPONDENCE .....	
1. President Russell to the Duke of Portland, enclosing Address from the Upper Canada Legislature to the King, 1797 .....	16
2. President Russell to the Anglican Bishop of Quebec.....	16
3. The Duke of Portland to President Russell, 1797 .....	17

	PAGE.
VII. PROCEEDINGS OF THE UPPER CANADA HOUSE OF ASSEMBLY IN REGARD TO THE ROYAL GRANT OF LANDS FOR A UNIVERSITY, ETC., IN 1797 .....	17
1. Message from President Russell to the Upper Canada Legislature, 1798...	17
2. President Russell to the Duke of Portland, 1798 .....	19
3. The same to the Honourable Chief Justice Elmsley, 1798 .....	19
4. Chief Justice Elmsley to President Russell, 1798 .....	19
5. President Russell to Chief Justice Elmsley, 1798 .....	19
VIII. REPORT, IN 1798, OF THE EXECUTIVE COUNCIL AND ITS COMMITTEE ON THE ORIGINAL ROYAL GRANT OF LANDS.....	20
1. Individual opinions of Members of the Committee, 1798 .....	23
(1) The Honourable Aeneas Shaw, 1798.....	24
(2) The Honourable John McGill, 1798.....	24
(3) The Honourable D. W. Smith, 1798.....	24
IX. FURTHER CORRESPONDENCE WITH THE COLONIAL OFFICE.....	25
1. President Russell to the Duke of Portland, 1799 .....	25
2. The same to the same, 1799.....	26
3. The Duke of Portland to Lieutenant-Governor Peter Hunter, 1800 .....	26
4. Lieutenant-Governor Peter Hunter to the Duke of Portland, 1800 .....	27
X. EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1799... ..	28
1. Educational Proceedings of the House of Assembly in 1799.....	28
2. Educational Proceedings of the Legislative Council in 1799.....	28
3. An Act to Provide for the Education, etc., of Orphan Children, 1799 ....	29
XI. SCHOOLS IN EXISTENCE IN UPPER CANADA DURING THE EARLY PART OF 1800.....	30
1. Particulars of some of these schools :	
(1) Mr. R. Cockrel's Evening School at Newark (Niagara), 1796.....	32
(2) The Reverend Mr. Arthur's Boarding School at Newark, 1796 ....	32
(3) Mr. James Blayney's School at Newark, 1797 .....	32
(4) Mr. William Cooper's School at York (Toronto), 1798.....	32
(5) The qualifications of School Teachers in 1799.....	33
(6) Mr. and Mrs. Tyler's Boarding School at Niagara, 1802 .....	33
(7) Dr. W. W. Baldwin's proposed School at York (Toronto), 1802....	33
(8) Examination of Reverend Doctor Strachan's School at Cornwall, 1805 .....	34
(9) The Duc de la Rochefoucauld on the State of Education in Upper Canada in 1795-1799 .....	34
(10) Essay on the Necessity of Education, 1799.....	34
XII. SETTLEMENT AND EDUCATION OF THE SIX NATION INDIANS, 1784-1800.....	35
1. Correspondence relating to these Schools :	
(1) The Reverend G. O. Stuart to Mr. William Bell, Master, 1796-1802.	37
(2) The New England Company, or School Society, 1649-1661.....	39



	PAGE.
XIII. SKETCHES OF NOTED TEACHERS IN 1800-1807.....	40
1. The Reverend Doctor Strachan, 1803-1823 .....	41
(1) The Reverend Doctor Strachan's first Experience as a Teacher, 1803. ....	41
(2) His system of School Management .....	43
(3) His Method of Teaching .....	44
(4) His Order and Mode of Teaching, as stated by Himself .....	44
2. The Reverend Doctor George Okill Stuart.....	46
3. Doctor William Warren Baldwin .....	47
XIV. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1804.....	47
1. Educational Proceedings of the House of Assembly, 1804.....	48
XV. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1805 .....	49
1. Members of the House of Assembly who took part in the School Legislation of 1805 .....	50
2. Educational Proceedings of the House of Assembly in 1805.....	50
NOTE.—No Journals of the Legislative Council proceedings of 1804 and 1805 are available.	
XVI. EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1806 ...	51
1. Members of the House of Assembly who took part in the School Legislation of 1806.....	52
2. Educational Proceedings of the House of Assembly in 1806.....	52
3. Educational Proceedings of the Legislative Council in 1806.....	54
4. An Act to Procure Certain Apparatus for the Promotion of Science .....	56
5. Members of the Legislative Council who took part in the Educational Legislation of 1806 .....	56
XVII. EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1807 ....	57
1. Educational Proceedings of the House of Assembly in 1807.....	57
2. Members of the House of Assembly who took part in the School Legislation of 1807 .....	58
3. An Act to establish Public (Grammar) Schools in each and every District of this Province .....	60
4. First appointed Trustees of the District (Grammar) Schools in Upper Canada, 1807 .....	61
NOTE.—No Journals of Legislative Council proceedings of 1807 are available.	
XVIII. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1808.....	62
1. Educational Proceedings of the House of Assembly in 1808.....	62
2. Educational Proceedings of the Legislative Council in 1808 .....	65
3. An Act to amend the District (Grammar) Schools Act of 1807.....	66
NOTE.—No Journals of the Upper Canada Legislature of 1809 are available.	
XIX. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1810 .....	66
1. Educational Proceedings of the House of Assembly in 1810 .....	66
2. Legislative Council Proceedings on the Grammar School Repeal Bill of 1810 .....	70
XX. EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1811....	71
1. Educational Proceedings of the House of Assembly in 1811.....	71
2. Proceedings of the Legislative Council on the District (Grammar) School Repeal Bill of 1811 .....	73

	PAGE.
XXI. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1812 .....	75
1. Educational Proceedings of the House of Assembly in 1812.....	76
2. Proceedings of the Legislative Council on the District (Grammar) School Repeal Bill of 1812 .....	78
XXII. MISCELLANEOUS EDUCATIONAL PAPERS, 1811-1814.....	79
1. The Ernestown Academy at Bath.....	79
2. Members of the Legislative Council from 1792 to 1812 .....	80
3. Attorney-General Firth's books for sale by Dr. William Warren Baldwin..	81
4. Penmanship taught by a Practical Lecturer.....	81
5. Education of Militia Men in Kingston in 1812.....	81
6. Library presented to Ernestown by the Reverend John Langhorn in 1813.	82
7. Reverend W. D. Baldwyn, B.A., appointed to succeed the Reverend John Bethune as Head Master of the Kingston District (Grammar) School in 1814 .....	83
8. The Kingston District (Grammar) School in 1814 .....	83
9. Mr. and Mrs. Pringle's Young Ladies' School at Kingston in 1814.....	83
10. Circulating Library in Kingston in 1814 .....	84
11. State of Learning in Upper Canada in 1814, by M. Smith .....	84
12. Opening of the Kingston District (Grammar) School in 1815 .....	84
NOTE.—No Journals of the Upper Canada Legislature for 1813 are available.	
XXIII. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1814 .....	84
1. Members of the House of Assembly who took part in the Educational Legislation of 1814 .....	85
2. Educational Proceedings of the House of Assembly in 1814.....	85
3. Proceedings of the Legislative Council on the District (Grammar) School Repeal Bill of 1814 .....	86
4. Personal sketches of the Presidents of Upper Canada, 1812-1815 .....	87
(1) Major-General Sir Isaac Brock .....	87
(2) Sir Roger Hall Sheaffe.....	88
(3) Count Francis de Rottenburg .....	88
(4) Sir George Gordon Drummond .....	88
(5) Sir George Murray.....	88
(6) Sir Charles Fredrick Phillipse Robinson.....	88
XXIV. THE MIDLAND DISTRICT SCHOOL SOCIETY, 1815 .....	89
1. Prospectus of the Midland District School Society.....	90
2. An Act to Incorporate the Midland District School Society, 1815.....	92
NOTE.—No Journals of the Upper Canada Legislature for 1815 are available.	
XXV. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1816.....	94
1. Educational Proceedings of the House of Assembly in 1816.....	94
2. Members of the House of Assembly who took part in the School Legislation of 1816 .....	100
3. An Act establishing Common Schools throughout the Province in 1816....	102
4. Character of this School Legislation.....	104
NOTE.—No Journal of the Proceedings of the Legislative Council for 1816 are available.	
XXVI. THE DISTRICT (GRAMMAR), OR "THE OLD BLUE SCHOOL," AT YORK .....	105
1. Examination of the Home District (Grammar) School in 1816.....	106



## (MISCELLANEOUS ITEMS).

	PAGE.
2. Course of Study suggested by the Reverend Doctor Strachan as suitable for District (Grammar) Schools .....	109
3. Midland District Board of Education, 1816 .....	111
4. Opening of the Kingston Library in 1816 .....	111
XXVII. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA HOUSE OF ASSEMBLY IN 1817..	111
1. Members of the House of Assembly who took part in its Educational Legislation .....	111
2. Educational Proceedings of the House of Assembly in 1817 .....	111
NOTE.—No Journal of the Legislative Council Proceedings for 1817 is available.	
XXVIII. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA HOUSE OF ASSEMBLY IN 1818.	114
1. The First Session of 1818.....	115
2. The Second Session of 1818.....	118
3. Disturbing Influences on School Legislation in Upper Canada, 1809-1817..	120
NOTE.—No Journal of the Legislative Council Proceedings for 1818 are available.	
XXIX. MR. ROBERT GOURLEY'S EDUCATIONAL STATISTICS OF UPPER CANADA IN 1817 ....	123
1. Report of Schools in Townships of Upper Canada.....	124
2. Township Reports Relating to Schools in the London District .....	125
3. Township Reports Relating to Schools in the Gore District.....	125
4. Township Reports Relating to Schools in the Niagara District .....	127
5. Township Reports of Schools in the Newcastle, Midland, Johnstown and Eastern Districts .....	128
6. Township Report of Schools in the Eastern District .....	128
XXX. MISCELLANEOUS PAPERS AND DOCUMENTS RELATING TO EDUCATION AND SCHOOLS, in 1817-1818 .....	129
1. Midland District (Grammar) School, Kingston, 1817 .....	129
2. A School of Liberal Arts and Sciences, Kingston, 1817 .....	129
3. Sunday Schools in Kingston, 1817 .....	129
4. Mr. Baker's School for Classical Education, Kingston, 1817 .....	130
5. Mr. Latham's English and French Academy, Kingston, 1817 .....	130
6. Mr. John Whitelaw's Lectures on Chemistry and Geology, Kingston, 1817.	130
7. Mr. Tolkien's Private School in Kingston, 1817.....	130
8. Mr. and Mrs. Woolf's Boarding and Day School, Kingston, 1817 .....	131
9. Mrs. Hill's School for Young Ladies, Kingston, 1818 .....	131
10. Mr. Harris' Private School for Young Ladies, Kingston, 1818.....	131
11. Midland District Lancastrian School in Kingston, 1818 .....	131
12. Midland District School Society, Kingston, 1818.....	132
13. Ernestown Academy at Bath, Reopened, 1818.....	132
14. Reverend Doctor Strachan's Lectures on Natural Philosophy, 1818 .....	132
15. Mr. J. M. Flindall's Essay on Education in Upper Canada in 1818 .....	133
XXXI. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1819 .....	136
1. Educational Proceedings of the House of Assembly in 1819.....	136
2. Proposed University Representation in the House of Assembly .....	138
3. Educational Proceedings of the Legislative Council in 1819 .....	142
4. Characteristics of the Grammar School Amendment Act of 1819.....	147

	PAGE.
5. Act to Repeal part of, and to Amend, the District (Grammar) School Acts of 1807 and 1808 .....	148
6. Forms for Trustees under the Common School Acts of 1816.....	150
XXXII. PROCEEDINGS IN REGARD TO THE UPPER CANADA UNIVERSITY IN 1819 .....	150
1. Historical Resumé of University and Grammar School Proceedings, by the Reverend Doctor Strachan, 1807-1820 .....	152
XXXIII. ESSAY ON THE HISTORY AND PRESENT STATE OF EDUCATION IN UPPER CANADA, 1789-1819.....	153
1. Suggested Rules for Schools and Teachers .....	157
2. The Reverend Doctor Strachan's Remarks on the foregoing History of Education in Upper Canada. ....	158
XXXIV. MISCELLANEOUS PAPERS RELATING TO EDUCATION IN UPPER CANADA, 1819 .....	160
1. Examination of the Home District (Grammar) School in 1819.....	160
2. Address from the Presbytery of the Canadas to Sir Peregrine Maitland, Lieutenant-Governor, 1819.....	161
3. Early School Days in Aldborough, Talbot Settlement, County of Kent, by Mr. Archibald McColl .....	162
4. Schools in Kingston in 1819.....	167
5. The Public Library at Niagara by Miss Carnochan, 1800-1820 .....	167
6. The School House at Thorold in 1820 .....	168
XXXV. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA HOUSE OF ASSEMBLY IN 1820..	169
1. Educational Proceedings of the House of Assembly in 1820.....	169
2. An Act to Amend, Continue, under certain Modifications, etc., the Common School Act of 1816.....	172
3. Provision for University Representation in the House of Assembly, 1820 .	174
NOTE.—No Journals of the Legislative Council proceedings for 1820 are available.	
XXXVI. THE CENTRAL (NATIONAL CHURCH OF ENGLAND) SCHOOL AT YORK, 1820 .....	174
1. First Report of the Central School at York, 1820, 1821.....	177
2. Proceedings of the Executive Government in establishing the (National Church of England) Central School at York in 1820 and 1823.....	179
XXXVII. MISCELLANEOUS EDUCATIONAL MATTERS DURING 1820-1824 .....	180
1. Educational Proceedings of the House of Assembly in 1821, 1822 .....	180
2. Mr. William Weekes' Legacy for an Academy at York, 1821 .....	181
3. Course of Study at the Common School at York in 1820-1821 .....	182
4. List of Teachers in the Home District in 1820-1822 .....	183
5. Payments on behalf of Schools during 1820-1824 .....	183
6. Aggregate payments for Grammar and Common Schools in 1825-1828 ....	183
XXXVIII. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1823 .....	184
1. Educational Proceedings of the House of Assembly in 1823.....	184
2. Members who took part in the School Legislation of 1823 .....	184
3. Educational Proceedings of the Legislative Council in 1823 .....	180
4. An Act granting a Sum of Money for a Public (Grammar) School in the Bathurst District, 1823.....	192
5. An Act to provide for the Establishment of a Public (Grammar) School in the Ottawa District, 1823.....	192



PAGE.

6. An Act for the Relief of the Teachers of Common Schools in the Niagara District, 1823 ..... 193

XXXIX. MISCELLANEOUS PAPERS RELATING TO EDUCATION IN UPPER CANADA, 1823-1826. 194

1. Mr. Edward Allen Talbot on the State of Education in Upper Canada in 1823-1826 ..... 194
2. Schools in the Town of Niagara in 1820-1823 ..... 196
3. General Board of Education for Upper Canada, 1824..... 196
4. An Act to make permanent and to extend the Provisions of the Common School Act of 1816 and 1820..... 197
5. Trustees of the District (Grammar) Schools in Upper Canada, 1824 ..... 198
6. District Boards of Education in Upper Canada in 1824 ..... 199

NOTE.—No Journals of proceedings of the Upper Canada Legislature for 1824 are available.

XL. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1825..... 200

1. Educational Proceedings of the House of Assembly, and its most noted Members ..... 200
2. Private Schools in Kingston in 1825-1826..... 202
3. The First Schools in Brantford 1826..... 202
4. Schools in West Gwillimbury, 1824-1826 ..... 202

NOTE.—The Journals of the Legislative Council for 1826 are not available.

XLI. EXCHANGE OF THE ORIGINAL UNIVERSITY LANDS FOR CROWN RESERVES, 1822-1827 ..... 203

XLII. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1826-1827.... 206

1. Educational Proceedings of the House of Assembly in 1826-1827 ..... 206
2. Educational Proceedings of the Legislative Council in 1827 ..... 210

XLIII. GRANTING OF THE FIRST CHARTER OF KING'S COLLEGE IN 1827 ..... 211

1. The Reverend Doctor Strachan's Statement of the Reasons why a Charter should be granted ..... 211
2. Appeal to the Friends of Religion and Literature in behalf of the University of Upper Canada. By the Reverend Doctor Strachan, 1827..... 215
3. Statistical Table of the Church of England in Upper Canada in 1827.... 218
4. King's College Charter of 1827, with Emendations in the handwriting of the Reverend Doctor Strachan..... 221
5. Reverend Doctor Strachan's expenses to England in obtaining the Original Charter of King's College, 1827..... 226

XLIV. GRAMMAR AND COMMON SCHOOL RETURNS FOR 1827..... 227

1. The Eastern District Grammar School, 1827..... 227
2. The Ottawa District Grammar School, 1827..... 227
3. The Midland District Grammar School, 1827..... 227
4. The Newcastle District Grammar School, 1827 ..... 227
5. The Home District Grammar School, 1827..... 228
6. The Niagara District Grammar School, 1827..... 228
7. The Upper Canada Common School Returns for the year 1827, of the Eastern, Ottawa, Bathurst and Newcastle Districts..... 228
8. Miscellaneous Educational Information about Schools in 1826, 1827 ..... 229
- (1) Niagara, (2) St. Catharines, (3) Montague, (4) Perth, (5) Cornwall, (6) Peterborough, (7) St. Thomas ..... 229

	PAGE.
<b>XLV. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1828</b> .....	232
1. Members who took part in the School Legislation of 1828 .....	232
2. Report of the House of Assembly on the King's College Charter of 1827... ..	239
3. Petition to the King on the Charter .....	242
4. Case of Mr. Thomas Appleton, Common School Teacher at York, 1820-1828 .....	244
5. Report of the House of Assembly on Mr. Thomas Appleton's case .....	246
6. The Lieutenant-Governor, Sir Peregrine Maitland's reply to Mr. Appleton's Memorial to him .....	247
7. Minutes of Evidence for the Appleton case, given by Messieurs Thomas Appleton, John Fenton, Jesse Ketchum, William Poyntz Patrick, Joseph Spragg, the Reverend Alexander Stewart and Doctor Thomas David Morrison .....	248
NOTE.—No Journals of the Legislative Council proceedings for 1828 are available.	
<b>XLVI. IMPERIAL PARLIAMENT COMMITTEE'S REPORT ON THE KING'S COLLEGE CHARTER, ETC</b> .....	253
1. Appendix.—Extracts from the Evidence of the Reverend George Ryerson and the Right Honourable R. J. Wilmot Horton, Under Secretary of State .....	255
2. The Report practically embodied in the Colonial Secretary Despatch of September 29th, 1828, to Sir John Colborne .....	257
<b>XLVII. EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1829</b> .....	259
1. Educational Proceedings of the House of Assembly in 1829 .....	259
2. Members of the House of Assembly who took part in its School Legislation. ....	259
3. Statement of the Funds and Sources of Income of King's College, 1828-1829 .....	264
4. Report of the Reverend Doctor Strachan, President of the General Board of Education for Upper Canada, for the year 1828 .....	265
5. Report of School Payments by the House of Assembly's Select Committee on Finance .....	269
6. First Report of the House of Assembly's Select Committee on Education ..	269
7. Series of Resolutions reported from the House of Assembly's Select Committee on Education .....	274
8. Educational Proceedings of the Legislative Council in 1829 .....	276
9. Members of the Legislative Council in 1829 .....	276
<b>XLVIII. THE FOUNDING OF UPPER CANADA COLLEGE IN 1829</b> .....	284
1. Sir John Colborne's Letter to the Vice-Chancellor of the University of Oxford, authorizing him and others to Select Masters for Upper Canada College .....	286
2. Russell Square, the Site of Upper Canada College .....	287
3. Elizabeth College, Guernsey, the Model of Upper Canada College .....	288
4. Endowment of Upper Canada College, 1829-1838 .....	289
5. Sir George Arthur on the Founding of Upper Canada College by Sir John Colborne .....	289
6. Opening of Upper Canada College—its First Masters .....	290



	PAGE.
XLIX. EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1830 .....	291
1. Educational Proceedings of the House of Assembly in 1830, and Members who took part in them .....	292
2. Petition to the Legislature of the United Presbytery of Upper Canada, 1830.	298
3. Report of a Select Committee on the Western District (Grammar) School..	300
4. Bill: An Act to Establish Upper Canada College .....	301
5. Educational Proceedings of the Legislative Council in 1830.....	305
6. Report on the Petition of the United Presbytery of Upper Canada. ....	307
7. The Reverend Doctor Strachan's Resolutions on Education and the Founding of Upper Canada College .....	310
8. An Act to incorporate the Trustees of the Grantham Academy, St. Catharines, 1830 .....	313
L. VARIOUS MATTERS RELATING TO THE UPPER CANADA LEGISLATION OF 1830, ETC.....	315
1. Proceedings of the United Presbytery of Upper Canada in regard to its Petition to the Legislature of Upper Canada.....	315
2. Reply of the Presbytery to the Report of the Legislative Council on its Petition .....	315
3. The King's College Council and the Upper Canada Legislature, 1830.....	316
4. British House of Commons' Request for information in regard to King's College .....	317
5. Report of the Upper Canada Executive Council on a Memorandum of the Lieutenant-Governor of May, 1830.....	318
6. Public Meeting at York in December, 1830, in regard to King's College Charter, etc .....	318
7. Early Establishment of Schools in Upper Canada, 1813-1831, contributed by various persons, viz.: (1) Port Hope; (2) Aurora; (3) London; (4) St. Catharines; (5) Niagara Grammar School; (6) Miss Black's School, Niagara; (7) Cornwall Grammar School .....	319

APPENDIX.

CIRCULAR TO BOARDS OF SCHOOL TRUSTEES BY THE EDITOR OF THIS DOCUMENTARY HISTORY.....	321
---	-----

INDEX TO THIS FIRST VOLUME .....	322
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## CHAPTER I.

## SOME PRELIMINARY CORRESPONDENCE.

After the Honorable the Minister of Education had decided to publish this preliminary volume, and had entrusted to me the duty of preparing it, I addressed a note on the subject to the Honorable William T. Harris, LL.D., United States Commissioner of Education at Washington, to Rev. Canon Scadding, D.D., and Charles Lindsay, Esq., Toronto, to William Kingsford, Esq., C.E., Ottawa, and to John M. McMullen, Esq., Brockville, also to James Bain, jr., Esq., of the Public Library, Toronto, asking them for suggestions on the preparation of this history, and as to details, etc. The note which I addressed to these gentlemen was in substance as follows :—

It is proposed to prepare for publication, by the Education Department of Ontario, "The Documentary History of Education in Upper Canada" from the time of its settlement to a period which may hereafter be determined.

If you will kindly make any suggestion which may occur to you, as to the style and treatment of the subject, the size of the volumes, the type most suitable to be used, etc., I shall be greatly obliged to you.

It is intended to include in this first volume of the proceedings of the early Legislatures of Upper Canada on the subject of primary and secondary education. The second volume will contain like information in regard to higher education, etc.

I have already collected a good deal of material for the proposed publication—having commenced the collection in 1863. I am anxious to make that publication as complete and satisfactory as possible. I, therefore, write to you on the subject, so as to avail myself of your extended and varied experience in educational literature.

## REPLY OF THE HONORABLE W. T. HARRIS, LL.D., WASHINGTON.

I look with great interest to the volume that you are to prepare on the "History of Education" in the Province of Ontario from the earliest times. There is not anything, however, that I can suggest, which would help you in your great work, for your experience is so full that very few persons indeed, will be able to think of lines that you have not already covered.

I send you herewith our "Henry Barnard Index," also an "Index to the Publications" of this Bureau, and, in case the library of this Bureau has anything in it that can aid you, it shall be at your service.

## REPLY OF CHARLES LINDSAY, ESQ., TORONTO,

Himself a veteran in the Canadian literary field. It is highly suggestive, and is as follows :—

My opinion is that it would be most convenient if the Documentary History, which is contemplated by the Department of Education, did not take a form larger than octavo. The quartos published in Quebec, for this kind of literature, are extremely inconvenient to handle, and they necessitate the use of a kind of type much larger than is necessary or desirable. I was recently surprised to see in an American publication, intended for the instruction of journalists, the statement that nonpareil solid is of all type the most easy to read. I have been experimenting with it, and I believe that for the majority of readers the statement is true. I cannot say that, at over seventy years of age, I found any inconvenience in reading this small print. It would not however prove generally acceptable to the public for your purpose. If I were going to print documents of the kind you mention I should use a type not larger than bourgeois without leads.

The first quality requisite in paper is that it should be of an enduring kind, and it is at least doubtful whether this be true of paper that has been treated by the soda process. The soda does the work required of it, but it does not stop there; it continues to eat away the substance, and will probably not stop short of final destruction by what is called 'burning out.' A paper maker assured me, some time ago, that he expects that in a comparatively short time all the newspaper files and all the public documents printed on paper treated by the soda process

will entirely disappear. That process has ceased to be generally used within a short time, two or three years perhaps, and other paper is easily procurable. I think that a highly calendered paper, besides the harsh glare so trying to the eyes, is objectionable as being open to suspicion, generally correct, that it contains more than the ordinary proportion of clay, and more than is desirable, if indeed any be. There is no objection to a paper lightly calendered, but I would never use one that is highly calendered.

The best binding for your purpose, if something better than cloth is desired, would, I should think, be half calf or half morocco. The price of both is the same. It is desirable that the binding should not be subjected to a highly heated room. I should think the latter the more enduring.

I am very glad to see that a beginning is to be made in printing the public documents of Upper Canada. There will, I imagine, be some difficulty in completing the materials, on any subject. You will scarcely find a full copy of the *Upper Canada Gazette* in Toronto. The public documents of the early history of this Province has been sadly neglected. Of the few copies of the Journals of the House that were printed in the early years of our history, scarcely any are now to be found. Of some years not more than a single copy is known to exist. Of others, I have never seen or heard of a copy. There is much relative to our early history that ought to be printed, and for that reason it is desirable that an inexpensive scale should at the outset be selected for this purpose.

#### REPLY OF JOHN M. McMULLEN, ESQ., BROCKVILLE,

Author of a valuable History of Canada. It is also suggestive, and is as follows:—

I do not think that I have anything in my library that would be of much use to you. I had some correspondence with the late Dr. Ryerson relative to educational matters, but unfortunately did not preserve it.

A full set of the Statutes from Governor Simcoe's time will be available to you.

The demy octavo form would be the only suitable one for your work. The type to be used should be long primer solid, and brevier solid for extracts, and nonpareil for notes. The paper should be a good white 52 lb double demy.

A judicious use of the material at your disposal would make the work very valuable to the future historian of this country. It should however, be something more than a mere 'Documentary History.' The documents should be connected by short historical, or explanatory narratives. So that their character and environments should be better understood, and the necessary dryness relieved. This was the course pursued in Gurwood's Wellington's Despatches—the most valuable and interesting work of the kind ever published. The 'Documentary History' thus prepared would partake of the character of a connected narrative and be doubly interesting and valuable to the reader.

#### REPLY OF WILLIAM. KINGSFORD, ESQ., C.E., OTTAWA,

A recent historian of Canada of rare merit. It is as follows:—

In your letter of yesterday you kindly inform me of your intention to publish "The Documentary History of Education in Upper Canada."

I am certain the work will be of value; and I am sure the attention you have given to the subject would make any suggestion on my part superfluous. Should, however, in my examination, any thing attract my attention, I will have pleasure in communicating it to you.

The only suggestion I can make is that you should engage some competent person to obtain you copies from the 'Archives' of such documents as may be useful to you.

I can only add my good wishes for the success of the work. It will undoubtedly be of use in every form, especially for the historic information it must contain, to assist in the consideration of the problems which, in our own time, are constantly attracting attention.

One of the first problems of the day is the establishment of a sound system of public education.

#### REPLY OF JAMES BAIN, JR, ESQ., TORONTO.

The reply of the Chief Officer of the Public Library, Toronto, is as follows:—

I am much pleased to hear that you have undertaken a history of education in this Province. No one is better fitted for the task than yourself.

We have not very much bearing on the early education of the Province, but I will gladly do what I can in gathering together for you any documents which bear upon the point.



## REPLY OF THE REVEREND CANON HENRY SCADDING, D. D.,

Who is so well versed in Canadian pioneer lore. His reply is all the more interesting as it is largely autobiographical, and, from the fact that it refers to events in which the writer was personally concerned and an actor. It also contains a deserved tribute to those who, on personal grounds and out of respect to his father's memory and services, were the means of securing to him the great advantages of residence at the University of Cambridge, and a participation in its educational advantages.

In reply to my letter, Dr. Scadding said:—

The sheets enclosed are in reality my letter in reply to you. I have headed them "An Extract," leaving out the formal address, etc.

The extract proceeds as follows:—

In the phraseology of our public schools the expression "King's Scholars" is not now in use, but it was in vogue amongst us some years ago, and had a peculiarly old country ring about it. The expression occurs at the close of an account given of the annual public examination of the old Royal Grammar school at York, to be seen in the *Upper Canada Gazette and U. E. Loyalist* newspaper for March 1st, 1828, where it is stated that the Lieutenant-Governor, Sir Peregrine Maitland, then present, announced that certain lads belonging to the school were to be "King's Scholars," implying thereby that they should enjoy the privilege of a free education in the school, for which, I believe provision was made in the School Act of the period. I quote the names of the scholars thus distinguished in 1828. My own name you will observe occurs in the list, which reads thus:—"Samuel Smith, Henry Scadding, Leslie Caldwell, Charles Thomas Fitzgibbon." Samuel Smith was the son of the Hon. Col. Smith, some time deceased, formerly Administrator of the Government in the interim between Governor Gore and Sir Peregrine Maitland. Leslie Caldwell was the son of a well-known army surgeon at Penetanguishene, also deceased, whose widow was then resident in York. Charles Thomas Fitzgibbon was the son of Col. Fitzgibbon, Clerk of the House of Assembly, and father of a large family of sons. As to myself, I was placed on the list through the interest and influence of the Rev. Dr. Strachan, Archdeacon of York, who ever befriended me, remembering, as he did, so well the sad accident which had deprived my father of his life, soon after his settlement here and before he was able fully to acquire the provision which he was aiming to make for the welfare of his family. The King's scholarship at the Grammar School was thus a most welcome boon, and had the happy effect of keeping me much longer at my books than might otherwise, probably have been possible. I realize now more thoroughly than I did at the passing moment the greatness of the benefit thus conferred upon me. Looking back, I see that I have been, on a very humble scale in the community where my lot has been cast, a pioneer in its educational, literary, and ecclesiastical concerns. I have often desired to place on record how it was that I came to be sent as a student to the University of Cambridge, an incident in my case most unlikely to have been anticipated by me, and which helped forward, in so important a manner, the fulfilment of my mission but I had never before seen an opening for doing so with propriety. Your letter, as Librarian and Historiographer of the Education Department suggested to me that, at length, perhaps, the fitting occasion had arrived. In your account of the first movements towards the establishment of educational institutions in Upper Canada, you will I doubt not, do justice to the statesmanlike forecasts of our first Lieutenant-Governor in this regard, as I have myself endeavored to do in my two brochures entitled, "Merton College and Canada," and "A Letter to Sir Joseph Banks."

You remember the appreciative terms in which the French Duke de Liancourt speaks of Governor Simcoe's enlightened design for the future well-being of the new province, in his "Travels through the United States of North America" (vol. 1, p. 241, London edition) as gathered by him while a guest at Navy Hall, Niagara. You may also recall, perhaps, what the Duke says on the same page, of the Governor's talented wife, and the material assistance which she rendered to her husband, by pen and pencil in the accomplishment of his projects. His exact words are these (vol. II. page 61, Paris edition):

"Madame Simcoe, femme de trente six ans, est timide, a de l'esprit, est obligeante et bonne, parle peu, est occupée de ses devoirs de mere et de femme qu'elle pousse jusque a etre le secretaire de confiance de son mari; son talent pour le dessein qu'elle applique au trace des cartes lui donne aussi le moyen de sui etre tres-utile." Translated thus in the English edition (vol. 1, page 241), it reads:—

Mrs. Simcoe is a lady of thirty-six years of age. She is timid and speaks little; but she is a woman of sense, handsome and amiable, and fulfils all the duties of mother and wife with

scrupulous exactness. The performance of the latter she carries so far as to be of great assistance to her husband by her talents for drawing, the practice of which confined to maps and plans enables her to be extremely useful to the Governor."

Now it was, strange to say, as I desire on this occasion to relate to you, a beneficent determination on the part of this remarkable lady, at a later period of her life, that led to my being sent to Cambridge, and receiving there so considerable a portion of my early training. It came to pass in this wise:—For many years prior to his emigration in 1821, my father had acted as factor, or chief general agent, for the extensive landed estates of ex-Governor Simcoe, in Devonshire, and when the sad accident occurred, to which reference has been already made, depriving him suddenly of his life, Mrs. Simcoe, now a widow, out of sincere respect for the integrity of his character and his skill, as shown in the management of her family affairs, volunteered at once to do something towards the maintenance and bringing up of his youngest son; having already heard of the lad's good disposition towards learning from several sources. These reports continued to be favorable during ensuing years, and the final outcome was, a generous proposal to defray the expense of the youth's removal to Cambridge, and his continuance there for the requisite number of terms which might qualify him for a degree.

Again a happy issue was mainly due to the timely intervention of the ever-friendly Dr. Strachan. The benevolent scheme was acted upon, and in 1833 I found myself transferred as a student in Arts, sufficiently crude and inexperienced as I was, from amidst primitive and backwoods surroundings (on lot number 15, first concession from the bay, broken front, in the Township of York, Upper Canada), to the venerable cloistered courts of the "ancient and religious foundation" of the saintly Margaret of Lancaster, mother of Henry VII., known as the College of St. John the Evangelist, in Cambridge. The excellent lady to whom this transfer was due, while fully intending thereby to do honor to the integrity and capacity of my father, entertained also a hope, I have reason to know, that her procedure might possibly in the long run confer some benefit on the Province which her husband had been instrumental in organizing many years ago, and in all the affairs of which, to her latest hour, she ever manifested the warmest interest. It was understood that, after the prescribed course in mathematics, classics and divinity was completed, I was to return to Canada and make myself useful there. The plan was cordially acquiesced in, and its conditions laboriously fulfilled, or at least attempted to be fulfilled by me.

As to the long summer vacations and Christmas holidays which so agreeably diversify a Cambridge man's career, these were all of them, with the exception of the Christmas recess of 1836, delightfully and profitably passed by me partly at Wolford in Devon, the beautiful home or my benefactress and the residence formerly of our first Lieutenant-Governor, and partly at Penheale in Cornwall, the picturesque grey granite home of the Rev. Henry Addington Simcoe, their only surviving son and heir. To these fair typical English homes and households, where surviving members of the Simcoe family are still to be found, visits of greater or less length have been made by me with great enjoyment in the years 1840, 1852, and 1856.

## CHAPTER II.

### SKETCH OF LIEUTENANT-GOVERNOR JOHN GRAVES SIMCOE.

Governor Simcoe was born at Cotterstock, in the County of Northampton, on the 22nd of February, 1752. He was educated at Eton College, and partly at Merton College, Oxford. He entered the army in 1770, and before taking his degree at Oxford. His father, Captain John Simcoe, of H. M. S. *Pembroke*, served with distinction under Wolfe at Quebec, where he lost his life at the early age of 45. Governor Simcoe was successively an officer of the 35th and 40th Regiments, and subsequently commanded the Queen's Rangers (Hussars) during the American Revolutionary War. In 1790 he was elected a member of the British Parliament for a borough in Cornwall. In Parliament he took part on the Quebec Bill, which on its passage became the "Constitutional Act" of 1791. In 1792 he was appointed the first Lieutenant-Governor of the Province, which had by that Act been separated from Lower Canada. He induced many of the United Empire Loyalists to



settle in Upper Canada, and sought in every way to promote the prosperity of the Province. He had Yonge Street constructed as a military road from York (Toronto) on Lake Ontario to the lake at the north which now bears his name. He named this road after his personal friend and neighbour in Devonshire, Sir George Yonge, who was a member of the Imperial Cabinet. The road traversed the "portage" as it was called between the two lakes, Ontario and Simcoe, Major General Simcoe was appointed Governor of St. Domingo in 1796, and a Lieutenant-General in 1798. He died on his return to England in 1806, aged 54.\*

Governor Simcoe was removed from Upper Canada sooner than was anticipated. Rev. Dr. Ryerson, in his *History of the U. E. Loyalists*, thus speaks of the cause of his early removal from the Governorship of Upper Canada :

The American Government represented Governor Simcoe as exciting the Iroquois (Mohawks) both in Canada and in Western New York against it—representations in which there was not a shadow of truth. . . . But by these representations, and those of disappointed local land speculators, the Home Government recalled Governor Simcoe, the father of constitutional, pure and progressive government in Upper Canada. (Page 312.)

Dr. Goldwin Smith, in his recent book on the "United States . . . 1492-1871," thus refers to this matter :

That the British Government, or anybody by its authority, was intriguing with the Indians against the Americans, an asseption of which there appears to be no proof. Simcoe, the Governor of Upper Canada, having fallen under suspicion, though an excellent officer, was recalled. (Pages 140-41.)

#### LIEUTENANT-COLONEL SIMCOE AS A GOVERNOR.

Lieutenant-Governor J. Graves Simcoe arrived in Quebec on the 11th of November, 1791, and remained there for some time, there being no Council constituted in Upper Canada by whom he could be sworn into office. His plans for opening up and developing the resources of Upper Canada were on a scale of some importance ; but it seems only necessary to direct attention to the correspondence, which is of great importance to those interested in tracing the early history of Upper Canada, with its first settlement, and the means taken to open up communication between all parts of the country. In the summer of 1792, Simcoe reached Upper Canada, and, on the 16th of July, issued a proclamation dated at Kingston, that the old Province of Quebec had been divided into the two Provinces of Upper and Lower Canada, and fixing the division of the Province into "districts, counties, circles or towns and townships," to carry out the

\* That Governor Simcoe was a man of deep religious convictions may be gathered from a letter which he addressed to the clergyman of his parish in Welford, on his fiftieth birthday (1801), and five years before his death. Wishing to have Divine service on his birthday, he said : "I would esteem it as a favour if you would take for your text, 'Remember your Creator in the days of your youth,' etc.—the advantage of being a Christian, of having been educated by a most pious and excellent mother (my father dying whilst I was yet an infant in the service of his country) at Quebec, assisted by the companions of my father's youth, and the protectors of my own. . . . I wish them to be recommended to my children. There is a text in Leviticus, I believe, that particularly enforces purity of heart to those who aspire to military command. As mine in all views is a military family, it may not be amiss, in a more especial manner, to inculcate the remembrance of the Creator to those who engage in the solemn duties of protecting their country at these times from foreign usurpation." See note \* on page 11 referring to Simcoe's letter to Sir J. Banks.

NOTE.—Governor Simcoe's eldest son, Lieutenant Francis G. Simcoe, was killed at the siege of Badajoz in 1812, aged 21. Castle "Frank," overlooking the Don River, was named after this son, the lot on which it was erected having been patented by Governor Simcoe in this son's name. (Rev. Dr. Scadding.)

Act, "and to declare and appoint the number of representatives to be chosen by each to serve in the Assembly of the said Province." The first meeting of the Legislature of Upper Canada was held at Newark, (Niagara), on 17th September, 1792. It sat till the 15th of October.\*

Before leaving England for Canada, Governor Simcoe addressed a letter to Sir Joseph Banks, President of the Royal Society. In this letter he stated what he thought would be desirable to be done so as to introduce the spirit of the British Constitution into Upper Canada, and to promote British habits of thought among the people. In doing so his purpose was to show the excellence of the monarchical over the republican system of government, so lately adopted by the revolted colonies. The success of their revolutionary aims was keenly felt by him. His purpose was, therefore, to try and win back the more moderate of the disaffected colonists, and to provide a congenial home, under the old flag, for the expatriated American loyalists. The motto adopted for this new British home across the sea, expressed in strong, prophetic language, the heartfelt wish and purpose of the able and clear-sighted statesman who was sent out as its first Governor. It ran thus :—

IMPERII PORRECTA MAJESTAS CUSTODE RERUM CÆSARE.

*The Greatness of the Empire Extended, under the Guardianship of Cæsar.*

His strong desire in this matter was thus expressed to Sir Joseph Banks :

The method I propose is by establishing a free, honorable British Government, and a pure administration of its laws . . . to hold out to the solitary emigrant, and to the several States, advantages that the present form of Government doth not, and cannot, permit them to enjoy.

On Simcoe's nomination to his office as Governor, he evidently revolved in his mind how best he could secure a solid foundation for the government and institutions of the youthful colony entrusted to his care. Religion and education were his two watchwords. The form in which he wished them introduced into the new Province was—the first, in the person of a chief ecclesiastic, and the other as an endowed university. The former was to "inculcate in all ranks and descriptions of people a sober and an industrious, religious and conscientious spirit, which shall be the best security that a government can have for its own internal preservation. The latter, with the liberal education which it would afford, "would be most useful to inculcate just principles, habits and manners into the rising generation."

The former of these views Simcoe strongly impressed upon the Archbishop of Canterbury, (Dr. Moore,) in a letter addressed to him, dated the 30th December, 1790, and also upon the Colonial Secretary of State, (Right Honorable Henry Dundas,) in a letter to him of the 2nd of June, 1791. The latter subject was also referred to in the letter to the Colonial Secretary, and, (in regard to the university,) in the one, (previously quoted,) to the President of the Royal Society.

\*Report of the Dominion Archivist for 1891, pages xxi, xxii.



## CHAPTER III.

## GOVERNOR SIMCOE AND BISHOP STRACHAN.

At the ceremony of laying the corner stone of King's College in the Queen's Park, on the 23rd April, 1842, Dr. Strachan, in a speech delivered on that occasion, thus referred to Governor Simcoe's administration during his brief stay in Upper Canada. He said :—

Soon after the passing of the Constitutional Act of 1791, General Simcoe—a gentleman of great piety, literature and science, and most devoted to the welfare of the Province, was appointed Governor. After exploring its resources and making himself well acquainted with its wants, he applied himself earnestly to the religious and secular education of the people. Unfortunately for Upper Canada, his administration was of short continuance; and before he was able to complete the establishment of a seminary of learning adequate to the requirements of the colony at that time, he was removed to a higher government, and after his departure it was dropped and forgotten.

In an autobiographical sketch of his early career, Dr. Strachan (in 1830) again referred to Governor Simcoe, and the cause which led to his own removal to Canada :—

Among the many schemes contemplated by General Simcoe for the benefit of the Province, was that of establishing grammar schools in every district, and a university at their head at the sea of government. Anxious to complete, as soon as possible, so beneficial an object, the Governor gave authority to the late Honorable Richard Cartwright and the Honorable Robert Hamilton to procure a gentlemen from Scotland to organize and take charge of such college or university. These gentlemen, whose memories are still dear to the Province, applied to their friends in St. Andrews, who offered the appointment first to Mr. Duncan, then to Mr. Chalmers, neither of whom was yet much known, but both declined. Overtures were then made to me, and, suffering under my recent disappointment [caused by the resignation of the Professor whose appointment he was to have been] I was induced, after some hesitation, to accept the appointment.

I sailed from Grenock towards the end of August, 1799, under convoy; but such was then the wretched state of navigation that I did not reach Kingston, by the way of New York and Montreal, till the last day of the year, much fatigued in body, and not a little disappointed at the desolate appearance of the country, being throughout, one sheet of snow. But a new and still more severe trial awaited me. I was informed that Governor Simcoe had some time before returned to Eng and, but of which I had received no information, and that the intention of establishing the projected university had been postponed. I was deeply moved and cast-down, and had I possessed the means, I would have instantly returned to Scotland. A more lonely or destitute condition can scarcely be conceived. My reasonable expectations were cruelly blighted—a lonely stranger in a foreign land, without any resources or a single acquaintance. But my return was next to impossible, and it was more wisely ordered. Mr. Cartwright, to whom I had been specially recommended, came to my assistance, and sympathized deeply and sincerely in this, to me unexpected, calamity; and, after a short space of time, proposed a temporary remedy. My case, he acknowledged, was most trying, but not altogether hopeless, and he submitted an arrangement which might be deemed only temporary or lasting, as future events should direct. 'Take charge, said he, of my four sons and a select number of pupils during three years; this will provide you with honourable employment and a fair remuneration; and if, at the expiration of that period the country does not present a reasonable prospect of advancement, you might return to Scotland with credit. He further added that he did not think the plan of grammar schools and university altogether desperate, although it might take longer time to establish them than might be convenient or agreeable. In my position there was no alternative but to acquiesce, and I was soon enabled to return to a healthy cheerfulness, and to meet my difficulties with fortitude and resignation. In the meantime, a strong attachment grew up between me and Mr. Cartwright, whom I found to be a man of great capacity and intelligence, of the strictest honour and integrity, and, moreover, a sincere churchman from conviction, after deep enquiry and research. A similarity of feelings and tastes tended to strengthen and confirm our mutual regard, which at length ripened into a warm friendship, which continued without the slightest change or abatement till we were separated by death. I was left the guardian of his children, the highest and most precious proof of confidence that he could have conferred upon me, and I feel happy in saying that, under my guardianship, they became worthy of their excellent father.

## CHAPTER IV.

## CHARACTER OF THE "SIMCOE PAPERS."

A correspondence took place in 1791 between Lieutenant-Colonel J. Graves Simcoe, the first Lieutenant-Governor of Upper Canada, and Sir Joseph Banks, President of the Royal Society, and the Colonial Secretary, Right Honourable Henry Dundas; and, in 1795, with the first Anglican Bishop of Quebec, on the desirability of establishing schools and seminaries of education in Upper Canada. This correspondence naturally forms the ground work, as well as the starting point of our educational history.

My attention was first called to the value of this correspondence by Mr. George Coventry, of Cobourg, who was an enthusiast in the matter of collecting early historical records. He was employed by the Government of United Canada in the later fifties to copy and arrange historical papers of value, including the "Simcoe Papers." With Dr. Ryerson's approval I engaged him in 1862 and 1863 to copy various papers on early educational topics in this Province. These papers, with others, will now be included in this "Documentary History." In letters addressed to me in February and March of that year he said in substance :

Governor Simcoe was the first of the Governors that paid attention to education in Upper Canada. Among his Papers I found his correspondence with Mr. Henry Dundas, Colonial Secretary of State. (Dundas Street is named after him). He suggests that the British Government should erect a university for the sons of the better class who may come out from the old country. Those Papers are all in the Parliamentary Library at Quebec. A notice of this and a copy of these letters should commence your essay [*i.e.*, "Documentary History"]. Again he said :

"I am glad to find that you approved of the information I forwarded on the subject of education. . . . As early as April 28th, 1792, Governor Simcoe, in a long despatch to Mr. Henry Dundas, touches upon education, and says that it should be a national affair—that lands should be granted for schools to defray the expenses, and education for the higher classes should be provided for in colleges, otherwise children and youths sent to the States would imbibe revolutionary ideas and habits. (This is from my rough notes preserved from a very long letter on the subject, now in Quebec, with other documents I have sent there.) Again : By a letter I have just received from Quebec, I am pleased to find that Mr. William Ryerson, M.P.P., is interesting himself about our historical research. He has been deputed by the Library Committee of the House to examine Governor Simcoe's Papers and other documents, which I have sent down to Quebec for the information of the Committee. This will introduce the subject to more general notice, and be the means of opening the way when he brings forward the subject in the House. His ancestor [father] Col. Joseph Ryerson, was greatly in favour of collecting and publishing statistics of the Province in 1817, and presided at a meeting for that purpose in Vittoria, London District. It is gratifying to find that the present Mr. Ryerson is alive to the subject, so as to rescue by-gone events from oblivion. . . .

Having now written very fully on this subject, I hope that Dr. Ryerson will stir up his relative [brother] to bring forward the subject in the House that we were discussing, relative to collecting and preserving the materials for a good "Documentary History of Upper Canada," similar to the liberal plan adopted in the States. The State of New York has furnished us with ten large volumes of most interesting matter. . . .

The subject you are engaged in—*i.e.*, collecting educational items—is a very laudable and useful one. Your book could be made very interesting and instructive by showing the difficulties the early settlers had to encounter in obscure districts to obtain any education for their children. Colonel Clark\* told me that at first the chaplains of regiments gave instruction in

\* Colonel John Clark was born at Kingston, Upper Canada, in 1783, and resided at Port Dalhousie. The family came to the Province in 1768. He was educated at a garrison school, Fort Niagara, and afterwards at Mr. Cockrel's school, Niagara. He was placed on duty in 1812 by General Brock as lieutenant and adjutant of the 4th Lincoln flank companies. He was promoted by General Sir Roger H. Sheaffe to the rank of Captain-Assistant-Adjutant-General of Militia in the same year. He served during the Rebellion of 1837-38 as colonel of the First Frontier Light Infantry. He died in 1862, aged 79 years.



their various vicinities In the first Gazettes published at Niagara, in 1793, under the auspices of Governor Simcoe, you can trace the first establishment of schools in the country. In them are some good documents on education. . . . The Hon. W. H. Merritt, when a boy of five or six years old, went to a small day school at the Ten Mile Creek, about two and a half miles from St. Catharine's. In 1797 Mr. Cockrel opened a school at Newark (Niagara). In 1799 he removed it to Ancaster, and to his school there Mr Merritt went as boarder. . . .

### EXTRACTS FROM THE SIMCOE CORRESPONDENCE.

Apart from the isolated and desultory efforts to establish private schools among the United Empire Loyalists, or to take advantage of the garrison schools at the few military posts, nothing was attempted in the way of official action in the matter of education until the appointment of Governor Simcoe in 1791.

As the Simcoe correspondence forms the starting point in the "Documentary History of Education in Upper Canada," I select such portions of it as relate to the subject of education.

#### 1. GOVERNOR SIMCOE TO SIR JOSEPH BANKS,

Dated London, the 8th of January, 1791.

That part of this letter, from which I have already quoted (page 8), relates to the form of government. That part which I now quote, relates to education as follows:—

In a literary way, I should be glad to lay the foundation stone of some society that I trust might hereafter conduce to the extension of science. Schools have been shamefully neglected — a college of a higher class would be eminently useful, and would give a tone of principle and manners that would be of infinite support to government.\*

#### 2. GOVERNOR SIMCOE TO THE RIGHT HONORABLE HENRY DUNDAS, Secretary of State,

Dated Quebec, April 28th, 1792.

After referring to several matters of importance which required attention, Simcoe proceeded:—

But the question of higher education is of still more importance; lower education, being less expensive, may, in the meantime, be provided by relations, and more remotely by school lands. The higher must be indebted to the liberality of the British Government, as, owing to the cheapness of education in the United States, the gentlemen of Upper Canada will send their children there, which would tend to pervert their British principles. Simcoe then proposed two school-masters at Kingston and Niagara at £100 per annum; a university with a head and professors in the Capital, all of whom should be of the Church of England, and, the medical professor, perhaps, excepted, clergymen.

#### 3. SECRETARY DUNDAS TO GOVERNOR SIMCOE,

Dated London, July 12th, 1792:—

In reply to Simcoe's letter of the 28th of April, Secretary Dundas says:—

"Your letter has been received and laid before the King. As to Schools and a University, I think that the Schools will be sufficient for some time. Such Schools, or at least, one of them, should be of the first order, and whenever steps are taken by the Province to

\*Letter to Sir Joseph Banks, President of the Royal Society . . . written by Lieutenant-Governor Simcoe in 1791 (page 9). Printed for private circulation. (Rev. Canon Scadding, D.D., Toronto, 1890.)

establish a higher seminary as may meet the approbation of His Majesty, he (Dundas) shall with great satisfaction receive His Majesty's pleasure as to the extension of the royal bounty towards its support."

#### 4. GOVERNOR SIMCOE TO SECRETARY DUNDAS,

Dated Navy Hall, (Niagara), 23rd of November, 1792.

In this letter Governor Simcoe refers to his April letter to Secretary Dundas on the subject of religion and education. He said :

In respect to a just attention to the interests of religion, and a provision for the education of the rising generation, who must take their due lead in society under the present constitution, and principally fill up the offices of Government, I only beg leave, Sir, to refer you to my late dispatches upon these subjects—I have therein stated strongly what I have felt sincerely, and these momentous concerns will not only involve in themselves the comfort and happiness of the settlers in this country, and be the surest means of rendering it populous, but will chiefly contribute to that intimate union with Great Britain, which if duly improved and properly supported, as necessity requires, at the present season, I see no reason why that union should not become permanent for ages.

NOTE.—From this date until April, 1795, the correspondence between Governor Simcoe, the Colonial Secretary Dundas, Governor-General Dorchester and others related to various matters connected with the well-being of the Province, such as the marriage laws, abolition of slavery, Indian affairs, fortifying posts, war with France, and its effect on the colony, local appointments, settlement of the country, etc.

#### 5. GOVERNOR SIMCOE TO THE FIRST CHURCH OF ENGLAND BISHOP OF QUEBEC,

Dated Kingston, Upper Canada, April 30th, 1795.

Perhaps the Constitution given to Upper Canada, however late, forms the singular exception to that want of preventive wisdom which has characterized the present times. The people of this Province enjoy the forms, as well as the privileges, of the British Constitution given to Upper Canada however late. They have the means of governing themselves, and having nothing to ask, must ever remain a part of the British Empire, provided they shall become sufficiently capable and enlightened to understand their relative position and to manage their own power to the public interest. Liberal Education seems to me, therefore, to be indispensably necessary ; and the completion of it in the establishment of a University in the capital of the country—the residence of the Governor and the Council, the Bishop, the heads of the Law, and of the general quality of the inhabitants, consequent to the seat of Government, in my apprehension would be most useful to inculcate just principles, habits and manners, into the rising generation ; to coalesce the different customs of the various descriptions of settlers, emigrants from the old Provinces of Europe into one form. In short, from these distinct parts would there establish one nation—and thereby strengthen the union with Great Britain and preserve a lasting obedience to His Majesty's authority. The income contemplated for such an establishment is certainly, of itself, too contemptible to be withheld from the prosecuting of so great an object on any view of expense. I naturally should wish that the Clergy requisite for offices in the University, in the first instance, should be Englishmen, if possible,—conforming therein to Secretary—Mr. Dundas' opinion, and indeed, in this respect, to my own—but, as in an object of such magnitude, no explanation can be too minute, which fairly and clearly elucidates these points which ought not to be misunderstood. I only refer to your Lordship's slight experience of the habits and manners of the American settlers, to say how very different they are from those of Great Britain, and how unlikely it is for clergymen educated in England with English families and propensities,—habituated in every situation to a greater degree of refinement and comfort than can be found in a new country, or possibly anywhere without the precincts of Great Britain—how unlikely it is that such persons should obtain that influence with their parishioners which may essentially promote the objects of their mission. In the infancy of such a government as that of Upper Canada, and in the general indisposition of these times to all restraint, it seems to be of peculiar importance to prevent the public interest, both in Church and State, from suffering through any ill-will or disregard which the King's subjects may bear to those persons who are in any manner concerned in its administration. On the other hand, I am persuaded of at the outset, a few pious, learned men, of just zeal and primitive manners, shall be sent to this country, with sufficient inducement to make them support this honorable banishment with cheerfulness—and that in the first instance, your Lordship shall not too strenuously insist upon learning, as a qualification for ordination, where there are evident marks of religious disposition and proofs of morality—I am confident the rising generation will



be brought up competently learned and properly enbued with religion and loyalty ; and it is probable that they may, at least, be equal to those of Connecticut, in this Continent, whose clergy are in general, inferior to none in those points of learning and of acquisition in the dead languages, which may be generally considered as the necessary materials and instruments of their sacred profession.

In short, my Lord, if the maintainence of religion and morality be merely considered in a commercial light, as so much merchandise, the bounty which I have proposed, and most earnestly implore may be for a while extended to it, will augment that produce in which the union of the country with Great Britain, and the preservation of His Majesty's Sovereignty may ultimately depend. I am almost ashamed of using this metaphorical language, but it is that of the age. There is nothing, in my late progress, that has given me equal uneasiness with the general application of all ranks of the most loyal inhabitants of the Province, that I should obtain for the Churches and Ministers. They say that the rising generation is rapidly returning to barbarism. They state that the Sabbath so wisely set apart for devotion, is literally unknown to their children, who are busily employed in searching for amusements in which they may consume that day.

\* \* \* \* \*

These objects would be materially promoted by a University in Upper Canada, which might in due progress, acquire such a character as to become the place of education to many persons beyond the extent of the King's dominions.

If I recollect, my Lord, Parliament voted £20,000 for the erection of the University proposed by Bishop Berkely in Bermuda. The object of such an institution, not to speak disrespectfully of any place or so truly respectable a prelate, was certainly of trivial importance to what I now propose. The labors of the Society for the Propagation of the Gospel, are visionary, as applicable to the conversion of the American Indians in their present state ; but would be of most essential benefit by promoting a University, which, if placed in the part I meditate, would, in its turn, have great influence in civilizing the Indians, and, what is of more importance, those who corrupt them. The Episcopal Clergy in Great Britain from pious motives, as well as policy, are materially interested that the Church should increase in this Province. I will venture to prophesy its preservation depends upon a University being erected therein.

\* \* \* \* \*

The Universities of England, I make no doubt, would contribute to the planting of a scion from their respectable stock, in this distant Colony. In short, my Lord, I have not the smallest hesitation in saying that I believe if a Protestant Episcopal University should be proposed to be erected even in the United States, the British nation would most liberally subscribe to the undertaking.

I am, therefore, the more authorized to make this statement to your Lordship and most earnestly do I hope that you may be able by God's help to complete this desirable work in this province which my various avocations do not permit me to undertake with due vigor and perseverance.

#### 6. GOVERNOR SIMCOE TO THE BISHOP OF QUEBEC,\*

Dated Navy Hall, (Niagara), October 16th, 1795 :—

My views in respect to a University are totally unchanged, they are on a solid basis, and may or may not be complied with, as my superiors shall think proper, but shall certainly appear as my system to the judgment of posterity.

#### 7. GOVERNOR SIMCOE TO THE DUKE OF PORTLAND, SECRETARY OF STATE,

Dated Navy Hall, 8th November, 1795,

The state of the country calling loudly for a public school of the first class, and the late Lieutenant-Governor Hope having built a house for that purpose at Kingston ; on consultation with the Bishop, Mr. Stuart, the respectable missionary at that place has undertaken to superintend it until His Lordship shall provide a proper person. From the various communications I have had with His Majesty's Ministers on this subject, I have felt myself authorized to promise one hundred pounds per annum, the salary allowed at Montreal and Quebec ; and which I understand from the principal people of the district, was promised by Lieutenant-Governor Hope.

At Niagara the want of a school is most visible ; the Reverend Mr. Addison is willing to undertake the office on the same terms as Mr. Stuart, and I hope for your Grace's approbation of a measure most necessary for the welfare of the Province.

\* I have not been able to obtain the replies of the Bishop of Quebec to Governor Simcoe's letters to him.

## 8. GOVERNOR SIMCOE TO THE BISHOP OF QUEBEC,

Dated York, 25th February, 1796 :— \*

I have scarcely the smallest hope of this Government being supported in the manner which I cannot but think proper for the national interests and commensurate with its established Constitution. In particular I have no idea that a University will be established, though I am daily confirmed in its necessity. I lament these events from the duty I owe to my King and country, and have only to guard that no opinions of mine be interpreted to promise beneficial effects, when the adequate causes from which they must originate, are suffered to perish, or are withheld.

## 9. DUKE OF PORTLAND TO GOVERNOR SIMCOE,

Dated Whitehall, London, June 22nd, 1796 :—

As the want of schoolmasters is particularly noticed in your letter to the Bishop, I should be far from unwilling to recommend that some provision should be made here towards their maintenance ; but in doing this I must observe that my ideas of schoolmasters best suited to the present state of Upper Canada are such as are thoroughly competent to teach reading, writing, accounts and mensuration.

The stipend to persons of this description, exclusive of what they would receive from at least some of their scholars, ought to be very moderate. With respect to a public school of a higher order, where the Greek and Latin languages, and some other branches of learning may be taught, I should think that Quebec or Montreal would naturally offer themselves, as most proper for an establishment of such a nature, during the infancy of Upper Canada. There is a very good Seminary of this kind in Nova Scotia, which from the progress it has already made, will probably be extended to the general cultivation of the arts and sciences.

Having thus given you my sentiments, I shall await to hear from you in return before any final measures are adopted on a subject which requires due consideration, in order that the establishment proposed may either be above or below what the present exigency of the Province requires—for in either of these cases, but more especially in the former, they would be totally useless, and thereby operate as a positive retardment to establishments of a higher nature, and which would otherwise naturally take place in the Province.

As this despatch relates only to the church establishment of your Province, you will of course, communicate it to the Bishop of Quebec, and will concert with him the best means of carrying into effect the objects to which I have directed your attention.

## 10. GOVERNOR SIMCOE TO THE DUKE OF PORTLAND,

Dated York, July 20th, 1796.

In this letter—the last which Governor Simcoe wrote on the subject—he strongly recommended the erection of a university in Upper Canada. He said :

In the meantime the sevenths of the Crown will become gradually productive as lands which have been granted shall be cultivated, or withdrawn from the market, and appropriations may be made agreeably to the opinion of the Council, to be sold hereafter for public purposes, the first and chief of which I beg to offer with all respect and deference, to Your Grace, must be the erection and endowment of a University, from which more than any other source or circumstance whatever, a grateful attachment to His Majesty, morality and religion will be fostered and take root throughout the whole Province.

## CHAPTER V.

## CHANGE OF GOVERNORS, AND SKETCHES OF THEM.

Governor Simcoe applied in December, 1795 to the Duke of Portland, for leave of absence on account of ill-health, and recommended that the Honorable Peter Russell, senior Councillor, be appointed to administer the Government. Delays occurred ; and it was not until August, 1796, that Simcoe left Canada, destined, as was afterwards the case, never again to return to that country.



On the 18th of June, 1796, Sir Robert Prescottt arrived in Quebec, as successor to Lord Dorchester, the Governor-General. He was, however, recalled, on account of his constant disputes with his Council, in April, 1799, and was succeeded by Lieutenant-General Sir Robert Shore Milnes. In the same year, Major-General Hunter was appointed as the second Lieutenant-Governor of Upper Canada.

#### PERSONAL SKETCHES OF THESE GOVERNORS.

SIR GUY CARLETON (LORD DORCHESTER) was among the most eminent men who have governed Canada. He was born in England in 1725, entered the army and took a prominent part in the siege and capture of Quebec, under Wolfe, in 1759. He was, for his services, promoted to the rank of Brigadier-General, and during the Governor-General (Murray's) absence from Canada in 1767, he administered the government. Being in England in 1770, he aided in the passage of the Quebec Act of 1771. In 1774, he returned as Governor-General, and successfully resisted the attack of the Americans upon Quebec in 1776. In 1778, he returned to England, and was knighted by the King. In 1782, he succeeded Sir Henry Clinton as Commander-in-Chief of the royal forces in America. In 1786, he was created Lord Dorchester for his distinguished services; and from that time until 1796, (with the exception of two years,) he remained in Canada as Governor-General. He recommended Sir John Johnson as Lieutenant-Governor of Upper Canada instead of Lieut.-Col. J. G. Simcoe. He was thus connected with Canada for the period of thirty-six years. During that time he acquired great distinction as a colonial governor by his prudence, firmness, and sagacity. His conciliatory manner towards all parties, won for him their love and respect; and when he retired from the government of Canada, it was amid the heartfelt regret of all classes of the people. He died in 1808, aged 83.

GENERAL SIR ROBERT PRESCOTT was born in England in 1725. He served in America during the revolutionary war, afterwards in the West Indies, where he served as Governor of Martinique, and also of Guadaloupe. He was very highly esteemed for his wise and judicious treatment of the natives in both places. He was Governor-General of Canada from 1796 until 1799. He died in 1815, aged 89 years. Prescottt, the capital of the county of Grenville, was named after him.

SIR ROBERT SHORE MILNES was born in England in 1746. He began life as an officer in the Royal Horse Guards, Blue. In 1795, he was appointed Governor of Martinique, and in 1799, Lieutenant-Governor of Lower Canada, and acting Governor-General in the absence of General Prescottt. He died in 1836.

MAJOR-GENERAL HUNTER was born in the same year as Sir R. S. Milnes, (1746). Early in life he entered the army, and rose gradually to the rank of Major-General. He succeeded Lieutenant-General J. G. Simcoe as the second Lieutenant-Governor of Upper Canada in 1799. He died in Quebec on the 21st of August, 1805, aged 59 years. A monument to his memory has been erected by his brother in the Anglican cathedral of that city.

HON. PETER RUSSELL came to Canada with Governor Simcoe in 1792, as Inspector-General. He afterwards became a member of the Legislative Council. On Simcoe's retirement, in 1796, he became the acting Governor, (being the Senior Councillor). He died in this Province, and his name is inscribed on a monument in the Spadina Baldwin plot, St. James' Cemetery, Toronto.

## CHAPTER VI.

### THE PRESIDENT RUSSELL CORRESPONDENCE.

#### 1. PRESIDENT PETER RUSSELL TO TH<sup>E</sup> DUKE OF PORTLAND,

The Legislative Council and House of Assembly having adopted a joint Address to the King praying that lands be set apart for the establishment of Schools and a University in the Province, President Russell transmitted it to the Duke of Portland. The letter and Address, under date, at York, of July 21st, 1797, were as follows :—

The members of the Legislative Council, and the House of Assembly of this Province, having in the late Sessions of the Provincial Parliament requested me to cause a petition from them to be laid before His Majesty "humbly imploring His Majesty that he would be graciously pleased "to direct His Government in this Province to appropriate a certain portion of the waste lands "of the Crown as a fund for the establishment and support of a respectable Grammar school in "each District thereof, and also of a College or University, for the instruction of youth in the different branches of liberal knowledge." I beg leave, in compliance with their desire to transmit their Petition to your Grace, that it may be submitted to His Majesty's most gracious consideration.

#### ADDRESS FROM THE UPPER CANADA LEGISLATURE TO THE KING'S MOST EXCELLENT MAJESTY. (*Enclosure.*)

Most Gracious Sovereign :—We your most dutiful and loyal subjects, the members of the Legislature Council, and the Commons House of Assembly, of Upper Canada, in Parliament assembled, being deeply persuaded of the great benefits that the Province must necessarily derive from the establishment of a respectable grammar school in each district thereof, and also of a College or University, where the youth of the country may be enabled to perfect themselves in the different branches of liberal knowledge, and being truly sensible of the paternal regard your Majesty entertains for every description of your subjects, do most humbly implore your Majesty that you would be graciously pleased to direct Your Majesty's Government in this Province, to appropriate a certain portion of the waste lands of the Crown as a Fund for the establishment and support of such useful institutions.

(Signed) JOHN ELMSLEY,  
Speaker of the Legislative Council.  
(Signed) D. W. SMITH,  
Speaker of the House of Assembly.

York, July 3rd, 1797.

#### 2. PRESIDENT RUSSELL TO THE ANGLICAN BISHOP OF QUEBEC,\*

Dated Upper Canada, July 31st 1797.

Governor Simcoe having carried off the correspondence, the President does not know what provision was made for school masters. On his way to Quebec last year, Governor Simcoe had given a warrant to a son of the Rev. Dr. Stuart, of Kingston, for £100, as school master there; but, the President not knowing the authority for this payment, or the fund from which it was drawn, had declined to issue a warrant this year, until informed of the Bishop's sentiments on the subject.

\* The Right Reverend Jacob Mountain, D.D., was appointed in 1793 as the Anglican bishop of Quebec. He had been rector of Buckden, Huntingdonshire, and of Holbeach in Lincolnshire. His jurisdiction as Bishop extended over Upper Canada, which he visited for the first time in 1820. He died in 1825.



### 3. THE DUKE OF PORTLAND TO PRESIDENT RUSSELL.

In this letter, dated Whitehall, London, November 4th, 1797, the Colonial Minister said that :

"His Majesty had taken into His Royal consideration the Petition of the Legislative Council and House of Assembly humbly imploring that His Majesty would be graciously pleased to direct his Government in this Province to appropriate a certain portion of the waste lands of the Crown as a fund for the establishment and support of a respectable grammar school in each district thereof, and also of a college, or university, for the instruction of the youth in the different branches of liberal knowledge."

And in conveying the gracious answer of the King to the Legislature of Upper Canada, the Duke of Portland used the following language :

[His Majesty] being always ready to shew his parental regard for the welfare of his subjects in the furtherance of so important an object as the instruction of youth, and to assist and encourage the exertions of his Province in laying the foundation for promoting sound learning and a religious education, has condescended to express his most gracious intention to comply with the wishes of the Legislature of his Province of Upper Canada in such a manner as shall be judged to be most effectual—

*First* by the establishment of free grammar [classical] schools in those districts in which they are called for ; and

*Secondly*, in due course of time by establishing other seminaries of a larger and more comprehensive nature, for the promotion of religious and moral learning, and the study of the Arts and Sciences.

He desired President Russell to consult with the Executive Council, Judges and Law officers of the Crown in Upper Canada, and to report in what manner and to what extent a portion of the Crown lands might be appropriated and rendered productive towards the formation of a Fund for these purposes, out of which shall be allotted salaries for the school masters, to be selected by the Governor, and sanctioned by His Majesty.

## CHAPTER VII.

### PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN REGARD TO THIS ROYAL GRANT OF 1797.

#### 1. PRESIDENT RUSSELL TO THE UPPER CANADA LEGISLATURE.

On the assembling of the Parliament of Upper Canada in 1798, President Russell, through the Law Officers of the Crown, communicated the despatch of the Duke of Portland of the 4th of November, 1797, to the Legislature. The proceedings of the House of Assembly on this subject are as follows :

On Monday, the 18th June, 1798, the Solicitor-General, in his place informed the House that His Honor the President, Peter Russell, had given to him in charge a written message communicating to the House, His Majesty's Most Gracious pleasure respecting the Address of the two Houses of the Parliament of this Province, during the last Session relative to the establishment of Grammar Schools and a University in this Province, which being delivered to Mr. Speaker, and he and the House standing up uncovered, the same was read by Mr. Speaker in the following words to wit :—

A MESSAGE FROM THE PRESIDENT TO THE HONOURABLE THE LEGISLATIVE COUNCIL AND THE HOUSE OF ASSEMBLY ;

PETER RUSSELL, PRESIDENT.

The President has great satisfaction in being authorized to communicate to the Legislative Council and House of Assembly that His Majesty has been most graciously pleased to take into His Royal consideration, their petition humbly imploring His Majesty that he would be graciously (D.E.)

ously pleased to direct his Government in this Province to appropriate a certain portion of the waste lands of the Crown as a fund for the establishment and support of a respectable Grammar School in each District thereof, and also of a College or University for the instruction of youth in the different branches of liberal knowledge; and being always ready to show his parental regard for the welfare of his subjects in the furtherance of so important an object as the instruction of youth, and to assist and encourage the exertions of his Province in laying the foundation for promoting sound learning and a religious education, he has condescended to express His Most Gracious intention to comply with the Legislature of his Province of Upper Canada, in such manner as shall be judged most effectual, first, by the establishment of free Grammar Schools in those Districts in which they are called for, and in process of time, by establishing other Seminaries of a larger and more comprehensive nature for the promotion of religious and moral learning, and the study of the Arts and Sciences. With this view the President is directed to consult the members of His Majesty's Executive Council, and the Judges and Law Officers of the Crown in Upper Canada, and to report to the Secretary of State in which manner, and to what extent a portion of the Crown Lands may be appropriated and rendered productive towards the formation of a fund for the above purpose, out of which His Majesty may, according to his pleasure allot such salaries as he may judge proper for school-masters of such free schools, who are to be appointed by His Majesty's Governors or the person administering the Government within the Province for the time being, subject to His Majesty's approbation, signified through one of his principal Secretaries of State.

On motion of Mr. Solicitor-General Gray, seconded by Mr. Christopher Robinson,

*Resolved*, That an Address be presented to His Majesty for having been graciously pleased to take into His Royal consideration their petition for the establishment of Grammar Schools in this Province.

On the motion of Mr. Solicitor-General, seconded by Mr. Robinson,

*Resolved*, That this House do request the concurrence of the Legislative Council in a joint Address of thanks to His Majesty for having been graciously pleased to take into His Royal consideration this petition for the establishment of Grammar Schools in this Province.

On the motion of Mr. Solicitor-General, seconded by Capt. Fraser,

*Ordered*, That Mr. David M. Rogers and Mr. Richard Beasley be a committee to communicate the preceding Resolution to the Legislative Council accordingly.

The Committee reported on 19th of June, that they had done so.

On the 20th of June a Message from the Legislative Council informing the House, That they concurred in the proposal of a joint Address of thanks to His Majesty for having been graciously pleased to take into His Royal consideration the Petition of the two Houses of Parliament of this Province, praying for the establishment of Grammar Schools.

On 29th of June, 1798, on motion of Mr. Rogers, seconded by Mr. Solomon Jones,

*Ordered*, That Mr. Solicitor-General and Mr. S. Street be a Committee to report the draught of an Address of thanks to the King's Most Excellent Majesty, for having been graciously pleased to take into His Royal consideration the humble Petition of the Parliament of this Province for the establishment of Grammar Schools, etc., in this Province.

On the 2nd of July, 1798, the Committee reported that they had drafted an Address accordingly which would be sent down by a Message from the Legislative Council this day.

A Message from the Legislative Council with the said Address engrossed and signed by the Honorable the Speaker of the Legislative Council.

Mr. Speaker read the said Address. On motion of Mr. Solicitor-General Gray, seconded by Mr. Samuel Street,

*Ordered*, That the House do concur in the said Address, and the same was signed by the Speaker accordingly.

On 3rd of July, 1798, on the motion of Mr. Rogers, seconded by Mr. Edward Jessup,

*Ordered*, That Mr. Solicitor-General and Mr. Beasley be a Committee to inform the Legislative Council that this House has concurred in the Address of thanks to His Majesty for his gracious intentions respecting Grammar Schools, and to return the said Address to the Legislative Council, and further, to inform the Legislative Council that this House requests that they would appoint a Committee of their House to accompany one from this House to wait upon His Honour the President to know when His Honour will receive the two Houses with the said Address.

On the same day a Message was received from the Legislative Council with an Address to His Honour President Russell.



Mr. Speaker read the said Address. On the motion of Mr. Solicitor-General, seconded by Mr. Rogers,

*Ordered*, That the House do concur in the said Address, and the same was accordingly signed by the Speaker, and then the two Houses of Parliament waited upon His Honour the President with their joint Addresses to His Majesty, and to His Honour, and therefore His Honour was pleased to address the two Houses of Parliament as follows, to wit:—

*Honorable Gentlemen of the Legislative Council and Gentlemen of the House of Assembly :*

I shall take the earliest opportunity of transmitting your very loyal Address to His Majesty.

## 2. PRESIDENT RUSSELL TO THE DUKE OF PORTLAND.

In this letter, under date of York, November 3rd, 1798, President Russell stated to the Secretary of State that he was as yet unable to send a report of the Judges and Law Officers as to the manner and extent to which Crown Lands might be appropriated for the establishment of "Free Grammar Schools and other Seminaries of a larger and more comprehensive nature."

## 3. PRESIDENT RUSSELL TO THE HONORABLE JOHN ELMSLEY, CHIEF JUSTICE OF UPPER CANADA.

Dated York, the 6th of November, 1798,

Having received directions from the Duke of Portland, one of His Majesty's principal Secretaries of State, to consult the members of His Majesty's Executive Council, and the Judges and Law Officers of the Crown in Upper Canada, and report to His Grace in what manner, and to what extent a portion of the waste lands of the Crown may be appropriated, and rendered productive towards the formation of a fund for the establishment of free Grammar Schools in those districts in which they are called for, and in due process of time by establishing other Seminaries of a larger and more comprehensive nature for the promotion of religious and moral learning, and the study of the Arts and Sciences, out of which His Majesty may according to his pleasure, allot such salaries as he shall judge proper for the schoolmasters of such free schools, who are to be appointed by His Majesty's Governor or the person administering His Majesty's Government, subject to His Majesty's approbation.

President Russell also issued a circular as follows:—

I am to request you will be pleased to meet the Chief Justice and the members of the Executive Council at the Council Chambers, on Friday the 9th instant, for the purpose of taking the above subject into your consideration, and reporting to me your opinions thereon, that I may transmit them to the Duke of Portland for His Majesty's information.

## 4. THE CHIEF JUSTICE OF UPPER CANADA TO PRESIDENT RUSSELL.

On the 10th November 1798, Chief Justice Elmsley, in reply, addressed President Russell as follows:—

The Committee, on his Grace the Duke of Portland's letter on the subject of schools, direct me to inquire of Your Honour, whether it is your pleasure that we should each of us report his opinion separately, or whether the Chairman is to report to you, a plan agreed upon by us all.

## 5. PRESIDENT RUSSELL TO CHIEF JUSTICE ELMSLEY.

On the 12th of November, 1798, President Russell replied to the Chief Justice as follows:—

I have had the honour to receive your letter of Saturday, desiring to know whether the members of the Committee on his Grace the Duke of Portland's letter on the subject of schools are to report their opinion separately, or whether the Chairman is to report the plan agreed upon by them all. In answer to which I can only have the honour to say, that in my opinion a report from the Chairman of a plan unanimously agreed upon would be less troublesome both to the Committee and His Grace, and would probably throw equal if not more light upon the subject than the opinions of the members stated separately. I shall therefore only request a general report signed by the Chairman; however, I do not mean by this to preclude any of the gentlemen from favoring me with their own sentiments, in addition to the general advice, as I believe it is the desire of His Majesty's ministers to obtain all the information possible on a subject of such importance to the future welfare of this province.

## CHAPTER VIII.

### REPORT OF THE EXECUTIVE COUNCIL AND ITS COMMITTEE ON THE ORIGINAL ROYAL GRANT OF 1797.

COUNCIL CHAMBER,

York, 1st December, 1798.

Present: His Honour Peter Russell, Esquire, President; The Honourables Messieurs John Elmsley, Chief Justice of Upper Canada; Aeneas Shaw; and David William Smith, Speaker of the House of Assembly of Upper Canada.

The Report of the Board formed of the members of His Majesty's Executive Council and the Judges and Law Officers of the Crown in Upper Canada, who were directed to take into their consideration the letter from his Grace the Duke of Portland, dated the 4th of November, 1797, on the establishment of grammar schools and other places of education in this Province, was read, and the same having received the approbation of the President-in-Council, it was ordered, that the Report be fairly copied, that it may be transmitted without delay to His Grace the Duke of Portland, for the information of His Majesty.

The Report of the Board, addressed to President Russell, was as follows:—

I have the honour to inform you that in obedience to your order of the 6th ultimo, the members of His Majesty's Executive Council, the Judges and the Law Officers of the Crown, met together in this place on the nineteenth ultimo, and on several occasions since, and took into their consideration the letter of His Grace the Duke of Portland on the establishment of grammar schools and other places of education in the Province.

It is not to be expected that on a subject of such extent the opinions of so many persons as were assembled to consider of it should exactly coincide.

I have, however, the satisfaction to say that in our general views of the system to be adopted we are nearly agreed, and that the difference with respect to the mode in which it is to be carried into effect is not very considerable.

As it was Your Honour's pleasure that the Chairman should collect the opinions of the several members of the Board and digest them into one report, I took the liberty of distinguishing the subject into the five following heads, and of requesting their thoughts on each, viz. :

1st. The sum to be raised. 2. The number of acres to be appropriated. 3. The purposes to which the fund is to be applied. 4. The number of schools, and the places where they are to be erected. 5. The number now necessary.

It is now my duty to state to Your Honour the general result of the whole, and should I either misrepresent the sentiments of the Board, or fail to give the effect they deserve, I trust that Your Honour will impute the blame to me only, and do justice to the several members by referring to the opinion of each, which I have subjoined by way of schedule.

When the subject was first opened, it seemed to be the unanimous opinion that the intention of the Royal Founder of the free Grammar Schools and University of Upper Canada could not be effectuated but by a liberal provision for their establishment and maintenance; and each member of the Board seemed deeply impressed with a conviction that in making his estimate of the extent of that provision, it would be much safer to allow too much than too little; for as the application of the funds will always be directed by the beneficent wisdom which has created it, the excess may at any time be applied to other purposes, equally worthy of the original intention, and equally conducive to the happiness of the Province; but it will be difficult and perhaps impossible if the present moment be neglected to find, at a future period, the means of effecting the object before us without much expense, and a delay almost subversive of the purpose.



Under this impression the Board proceeded to consider in detail the purposes to which the proposed fund should, when raised, be applied, and it seemed to be unanimous in thinking that they may be reduced to three.

1st. The erection of the necessary building.

2nd. The payment of the salaries of the masters.

3rd. The keeping of the buildings in repair, the purchase of books and philosophical apparatus, and other purposes essential to places of education, but in general too costly to be provided by individuals.

1st. With respect to the sum to be expended on the erection of the necessary buildings, the Board conceived that taking the average price of labour in the four districts of the Province, the sum £3,000, provincial currency, will be sufficient to erect a plain but solid and substantial building, containing a school-room sufficient to hold an hundred boys without danger to their health from too many being crowded together; and also a set of apartments for the master, large enough, not only for the accommodation of his family, but also for the very desirable purpose of enabling him to take a few of his pupils as boarders; some few out-buildings may also be necessary for the use of the master, which, if they will not come within the estimate, will not much exceed it, and may easily be provided for hereafter.

2nd. As the extent of the salaries of the masters is expressly reserved for the Royal consideration, we do not presume to mention any particular sum as sufficient for that purpose; but as it is necessary for us in making our estimate to calculate upon some given sum, and as His Excellency the Lieutenant-Governor thought the sum of £100, provincial currency, a sufficient allowance for the master of the school erected under his auspices at Kingston, we beg leave to take that sum as an average for the salary of the master of each school, and half of it for the salary of a second master, in case it should be thought expedient to have one.

3rd. The sum of £30 per annum seems to be a sufficient sum for keeping the building in repair. The provision for the purchase of books, philosophical apparatus, etc., relates to the endowment of the University rather than to that of the Grammar School, and is only mentioned that it may not appear to have been forgotten in our calculation.

It appeared, therefore, to be the general opinion of the Board that a sum not exceeding £3,000, provincial currency, and an annual income of £180 will be amply sufficient for the establishment and support of a free grammar school in each district.

The next object was to consider the mode by which that sum and that income are to be raised.

With respect to the former, the Board had but one opinion, viz.: That it can only be raised by the sale of part of the waste lands of the Crown.

If the institutions in question are to be deferred until they can be provided for from the annual income of any quantity of land that can be appropriated for them, they will be deferred either until they have been superseded by other institutions, or until four or five generations of ignorance and vice have rendered them useless.

The annual income must equally be divided from the waste lands of the Crown, and may, in the apprehension of the Board, be raised by one or other of the four following modes.

1st. By the sale of so much of those lands as will raise a sum which, if invested in the British funds, will produce the sum of £180 as interest.

2nd. By reserving such a portion of those lands as, when leased, will produce that sum as rent.

3rd. By appropriating to the same purpose such parts of the present Crown reserves as are capable of yielding a present rent; or

4th. By selling a portion of the waste lands of the Crown (always distinguishing between waste lands of the Crown and Crown Reserves), and laying out the produce in the purchase of lands which from their quality, local situation or state of cultivation, either yield or may be made to yield a present rent.

On each of these modes, the Board begs leave to submit the following considerations:—

With respect to the first, it observes that, besides the disadvantages of the daily decreasing value of an income which is to be applied to a permanent purpose, and which arises from money, or is reserved in money; it will require the sale of a quantity of land considerably beyond any that the Board would venture to mention to raise a sum which at the rate of five per cent. per annum would yield the sum of £180 as interest.

For we conceive it to be, generally, though perhaps not universally, true, that whenever lands in this country are capable, from quality, situation, or any other circumstance, of yielding a rent, a capital laid out in the purchase of those lands is much more productive than one lent at interest on either private or public security, and there is this additional advantage on the side of the former, that both the real and nominal value of rent will increase with the increasing property of the country, while the real value of interest decreases with the decreasing value of money in a proportion to which the increase of our prosperity is not a counterbalance.

The Board, therefore, considers this mode of raising the income required as wholly out of the question.

Of the remaining three modes the Board considers that which proposes to provide the necessary income, by reserving for the use of those institutions a certain portion of the waste lands of the Crown, and leasing them at a rack-rent as incomparably the best, both because it is the cheapest and because it leaves the fund of Crown Reserves from which the other public purposes of the Province may hereafter be supplied untouched, but it is certain that the present circumstances of the Province do not authorize us to expect much income from such a source for some years at least.

It may, therefore, be necessary to break in upon the Crown Reserves, and to appropriate such of them as are now capable of yielding rent to the present purpose; and should the fund, even after this assistance, be still inadequate, nothing will remain but to recur to the fourth of the proposed modes, and to lay out a part of the sum arising from the sales, in the purchase of lands capable of producing the income required.

The object which next engaged the attention of the Board was to consider in what parts of the several districts of the Province the proposed schools and seminary should be erected.

On this point we were unanimous in thinking that the towns of Cornwall, Kingston, Newark and Sandwich, are the most proper places for the sites of the four schools.

We were equally unanimous in considering the town of York as entitled to the University, both as being the seat of the Executive Government, the Legislative and the Courts of Justice, and as being by far the most convenient spot in the Province for all general purposes, its situation being nearly central, and besides its accessibility by water, the proposed high road from the one end of the Province to the other, being necessarily to pass near it or through it.

There was not the same coincidence of opinion with respect to the number of schools which the several members of the Board consider as necessary. Each part of the Province seemed to have its claims, and might consider itself as injured if it were postponed to any other. Some of the gentlemen were of opinion that four schools were now necessary, and that the whole number should be begun at the same time: others thought that, besides the necessity of managing the fund in the most frugal manner possible, the present circumstances of the Province do not call for the erection of more than two schools; and that if the situations of those two are obviously selected, not with a view to any particular district, but to the Province at large, there will be no room for jealousy among the several parts of it. After some discussion, this opinion was acceded to, and the towns of Kingston and Newark were selected, the former for the eastern and the latter for the western half of the Province: but it was at the same time stipulated and agreed, that as soon as the fund should be sufficiently productive, the towns of Cornwall and Sandwich shall each receive a similar mark of the royal munificence.

Nothing now remains, but that I could state to Your Majesty the extent of the appropriation of waste lands which in the conceptions of the members of the Board is necessary for the purpose in question; and, on the subject, I am happy to say that our calculations approach as nearly to each other as could reasonably be expected.

I believe I may state it as our unanimous opinion that the appropriation should cover such a portion of the waste lands of the Crown as if now sold, would produce the sum of £18,000, provincial currency; estimating the present average price of land at about nine pence per acre, the quantity required will be nearly 500,000 acres, or ten townships, after the deduction of the Crown and clergy sevenths.

It is obvious that if the four schools are all erected immediately, and the allowance which our estimate proposes for them is not extravagant, a much larger sum than that which I have mentioned will be necessary, and consequently a much larger appropriation must be made.

But in the manner in which we propose that the fund should be managed, we conceive that the quantity above mentioned will not only be amply sufficient for the establishment and support of the four schools, but will be nearly, if not adequate, to the erection and endowment of the University, which the Royal Bounty has promised to provide for us whenever the advancement of the Province calls for such an institution.



Having trespassed so long upon Your Honour's time and attention, I shall not trouble you with the detail of the manner in which we conceive that the proposed fund should be managed, because I hope that it will be sufficiently apparent from the following resolutions, into which the Board has condensed all that it has to offer on the interesting and important subject which has engaged it; I have, therefore, the honor to inform you that the members of His Majesty's Executive Council, the Judges and the Law Officers of the Crown, after much reflection and deliberation on the matter referred to them, are of opinion:

1. That an appropriation of 500,000 acres or ten townships, after deducting the Crown and Clergy sevenths, will form a sufficient fund for the establishment and maintenance of the royal foundation of four grammar schools and an university in the Province of Upper Canada.

2. That the present circumstances of the Province call for the erection of two of those schools, one at the town of Kingston, the other at the town of Newark.

3. That for the purpose of building a plain but solid and substantial house, containing a school room sufficient to contain 100 boys, and apartments for the Master large enough for the accommodation of a moderate family and the reception of from 10 to 20 boys as boarders, the sum of £3,000 provincial currency for each will be a sufficient allowance.

4. That for the purpose of raising that sum, a portion of the appropriated tract be sold in the manner directed by His Grace the Duke of Portland with respect to the other waste lands of the Crown.

5. That for the purpose of defraying the salaries of a master and under master, in case an under master should be thought necessary, and also for the purpose of keeping the buildings in repair, and making such additions thereto as circumstances shall require, the annual sum of £180 provincial currency for each school is a sufficient allowance.

6. That in order to raise this annual sum, such parts of the waste lands of the Crown in the different parts of the Province be selected, as from the quality of the soil or from their local situation are most likely to yield an annual rent, and that they be leased in the manner heretofore recommended by His Majesty's Executive Council with respect to the Crown and Clergy Reserves.

7. That if the income arising from the lands so reserved and leased, be insufficient for the purposes above mentioned, a similar selection be made from the Crown Reserves.

8. That if, after this addition, the fund be still insufficient, a further portion of the appropriated land be sold, and the money arising from the sale invested in the purchase of other lands so situated as to yield a present rent.

9. That, whenever the Governor, Lieutenant-Governor, or person administering the Government in Council, shall be of opinion that the circumstances of the Province call for the erection of two other schools, and also that the appropriated fund is sufficient, not only to bear the expenses of the erection and endowment of those two schools, but also to leave a residue sufficient for the establishment and future maintenance of a seminary of a larger and more comprehensive nature, the same steps be pursued with respect to such two schools as have been already recommended with respect to the two schools at Kingston and Newark.

10. That the provision for the establishment and maintenance of the University be at least equal to that for the four schools taken together.

I perfectly accord with this Report in all its parts.

(Signed)

PETER RUSSELL,

President.

#### INDIVIDUAL OPINIONS OF MEMBERS OF THE COMMITTEE.

In his letter to the Hon. Chief Justice Elmsley, dated the 12th of November 1798, President Russell intimated that while he only requested from the Committee a "general report on the Duke of Portland's despatch of the 4th of November, 1797, signed by the Chairman, yet he did not thereby wish to 'preclude any' of the gentlemen of the Committee from favouring him with their own senti-



"ments on the subject, in addition to their general advice." The members of the Committee, therefore, submitted to President Russell their individual opinions on the mode to be adopted for the establishment of grammar schools and a university, as follows :—

### 1. THE HON. ÆNEAS SHAW'S OPINION.

1st. For the necessary buildings and improvements in each district—Provincial currency .....	£2,000
For a Teacher, books, repairs, etc., in each district annually, £125, which at five per cent. requires a principal of. ....	2,500
	£4,500

2nd. To raise this sum it appears to me that at the present low value of land, not less than two townships in each district will be necessary, but much must depend on the local situation of such land.

3rd. Answered above.

4th. One in each of the four original districts.

5th. I am not sufficiently acquainted with the state of population in the Province to answer this question, and beg leave to refer it to the decision of the Board.

ÆNEAS SHAW.

York, 12th November, 1798.

### 2. THE HON. JOHN GILL'S OPINION.

1st. I think the sum to be raised for the establishment and support of free grammar schools and other seminaries of learning throughout this Province should be from eighteen to twenty thousand pounds.

2nd. The quantity of waste lands to be appropriated in order to raise this sum gradually, I shall estimate at 500,000 acres, which at 9d. per acre will amount to £18,750.

3rd. The sums arising from the sale of such portion of the land as it may be found expedient to dispose of, to be applied towards the building, or purchase of suitable houses for the masters and scholars—for the payment of the master's salary—purchase of books and instruments, and for repairing the buildings—leaving so much of the remaining land as an increasing fund for contingencies for the establishment, and for the support of a college or other seminary of learning.

4th. The number of schools, and the places where they are to be erected, it does not appear to me that more than one free grammar school in each of the four districts, viz., eastern, midland, home and western can at present be recommended, reserving the university for the town of York, as being the capital of the Province.

5th. How many are now necessary—"Four, one in each district."

JOHN MCGILL.

### 3. THE HON. D. W. SMITH'S OPINION.

Thoughts and scheme on the institution of the grammar schools.

In order to carry into effect His Majesty's most gracious intentions in regard to the instituting of free grammar schools in this Province, it is proposed in the first instance to appropriate a township or part of two townships, as near as circumstances will admit, as a foundation for the purpose of each district respectively.

Secondly—to sell five-sevenths of each of the said townships to the highest bidder, and the money arising from the sales to be applied to the erection or purchase of a proper building in the principal town of each district, for the school-house and residence of the master, etc., and the overplus if any, to be put out at interest in the British funds, to be a general stock for repairs, future buildings or additions—the purchase of mathematical instruments, books, etc.

By this means suitable places are procured for the commencement of this good work, without any expense to Government and from two branches of the same root are expected resources sufficient to defray the stipends of the teachers without seeking for other pecuniary aid from the Crown to discharge their salaries, namely, from the two reserved sevenths—each lot of which (of 200 acres) it is proposed to let for twenty-one years, reservable as in the general system, at three pounds per annum, giving a right to the lessee of sending one boy to its respective school to be instructed in what is there generally taught, at no other or further expense except for his diet, should he be sent as a boarder.

The price of common grammar schooling now for farmer's children is about a dollar per month, or £3 Halifax currency per annum. The inducements anticipated by the acquisitions of proper masters, and the obtaining of a beneficial lease in regard to time, and at little or no expense considering that the rent is liquidated by the right of schooling at the current price, are so great that it is apprehended a great proportion of the reserved lots would be immediately taken, and eventually all of them.

I need not dwell on the necessity of inducement when the effect of it is to ease the Government of expense, without injuring the subject—in new countries it is necessary. It is then contemplated to apply the profits arising from these leases as a salary for the master, and as they increase, for his assistants—for as assistants may be required by the increase of the number of scholars, it is to be observed that the emoluments given in proportion—casual scholars will also be an aid, and as the masters in general will probably be clergymen, the assistance given generally by the Society for propagating the Gospel, will render the situation such as to be worthy of being sought after by persons of character and information.

If the scheme is adopted and succeeds, the Crown will be exempted from every expense, and an inexhaustible fund created for the good purposes intended by our Royal Father and benefactor; but this success no puisne mortal can anticipate, until a college or other superior seminary of learning should be established; the interior economy and regulation of the schools to be in all respects under the direction of the Executive Government, and that a fund may be growing for such college or seminary, it is proposed to appropriate two townships in the County of York (in the vicinity of Lake Simcoe) for that purpose, and that so often as the person of a lessee changes, the right of sending a boy to the district grammar school should be renewed, upon his paying a fine to be applied towards the college fund of £3 H. Cy., equal to one year's schooling. The regulations for the school I should recommend to be on a broad basis and as liberal as it may be thought prudent to permit—may loyalty be professed and taught as a necessary combination with good manners, and the progress of the arts and sciences—may the influence of religion spread itself among the rising generation, to the credit of the pastors, and to the honour of the Lord—and may the youth with hilarity, and their parents with gratitude never cease to pray—

“God save the King!”

D. W. SMITH.

York, 14th August, 1793.

## CHAPTER IX.

### FURTHER CORRESPONDENCE WITH THE COLONIAL OFFICE.

#### 1. PRESIDENT RUSSELL TO THE DUKE OF PORTLAND,

In a letter dated York, February 12, 1799, he informs the Colonial Secretary that the Council had recommended that the house at Newark, owned by Mr. D. W. Smith, Surveyor-General, should be purchased for a school house. He said:

By the unanimous advice of the Council, I have the honour of transmitting herewith for Your Grace's information, a copy of the Report, (dated the 26th November, 1798,) of the Board I had directed to survey and estimate the value of the house and ground near Newark, which I had noticed to Your Grace in my letter No. 50, Mr. Smith had offered to Government (and the Council had recommended to be purchased) for a school-house, and part of the endowment of a free grammar school for the home district, together with the plans explanatory thereof.

I beg leave at the same time to mention to Your Grace that these buildings had been erected by Mr. Smith at a very considerable expense, under an expectation of Newark's remaining the seat of Government for some years, and with a view of their being applied afterwards to the uses for which they are now recommended. To which I humbly take the liberty of adding that Mr. Smith is a most useful and deserving officer, and indefatigable in his attention to the Department of Surveyor-General, over which he has for some years presided with no other salary than that of a Provincial Surveyor.

The proceedings of the Executive Council on the Report, etc., the President stated were as follows :—

At a Council meeting held on the first of December, 1798, President Russell in the Chair, the Report was read of the Board recommending the purchase of a house and four acres of land belonging to the Honourable David William Smith, in the Town of Newark, and a farm of 160 acres adjoining to the town—the former as a school house, the latter as a part of the endowment of the free grammar school of the Home District, and that some competent person or persons be employed to value them.

The report was approved in Council, and it was

1. *Ordered*, That the Engineer be requested to select proper judges, and favour the Board with a just valuation of the premises that the same may be submitted by the President for His Majesty's pleasure.

2. *Ordered*, That the Surveyor-General be instructed to select ten townships in proper situations, that they may be appropriated for the purposes mentioned in the preceding report of this date, relating to a university and grammar schools for Upper Canada.

## 2. PRESIDENT RUSSELL TO THE DUKE OF PORTLAND.

In this letter, dated York, May 18, 1799, he enclosed a Report from the Acting Surveyor-General respecting the waste lands in Upper Canada remaining to be disposed of, after deducting the Crown and Clergy Reserves; and a statement of the appropriation for schools, roads, French royalists, etc.; also a list of appropriations recommended by the Acting Surveyor-General for establishing a fund for the building and the support of free Grammar Schools in Upper Canada.

## 3. THE DUKE OF PORTLAND TO LIEUTENANT-GOVERNOR HUNTER.

In this letter, dated Whitehall, 13th of March, 1800, the Colonial Secretary refers Governor Hunter to his letter of the 4th November, 1797, addressed to President Russell on the subject of the Royal Grant of Lands for a University and Grammar Schools in Upper Canada. He also refers the Governor to his letter to President Russell relating to the purchase of Hon. D. W. Smith's house at Newark for a school, etc. He said :—

In consequence of my having signified in my letter to Mr. President Russell of the 4th November, 1797, that His Majesty was graciously disposed to comply with the wishes of the Legislature of His Province of Upper Canada, in such manner as shall be judged to be most effectual for the establishment of free grammar schools in those districts in which they are called for, and in due process of time by establishing other seminaries of a larger and more comprehensive nature, for the promotion of religious and moral learning, and the study of the arts and sciences.

Mr. Russell has transmitted with his letter to me, No. 55 of the 12th February, 1799, the estimate and plans of a house and some grounds near Newark, belonging to Mr. Smith, the Speaker of the House of Assembly of Upper Canada, which the Council had recommended to be purchased for a school for the home district of that Province. I am therefore to authorize you to complete this purchase forthwith, in order that no time may be lost in forwarding the very useful establishment, for which those premises are intended.

Although I have not received the General Report of the Executive Council, which sat on this subject, dated the 1st December, 1798, and which is referred to in Mr. Russell's dispatch, yet there does not appear to be any objection whatever to the purchase money being taken from the school and college fund, as recommended by the general report, and the minute of Council transmitted by Mr. Russell. It is His Majesty's pleasure that there should be seven trustees or governors of the said school, four of whom are always to be: The Governor, Lieutenant-Governor, or person administering the Government of Upper Canada, The Lord Bishop of Quebec, The Chief Justice of Upper Canada, and the Speaker of the Assembly for the time being. The other three are to be selected by you from the most respectable of the inhabitants of the Province.



## 4. LIEUTENANT-GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

In a letter to the Duke, dated 1st September, 1800, Governor Hunter points out many objections to the purchase of Hon. D. W. Smith's house at Newark for a school house, as recommended by President Russell and his Council. He nevertheless, encloses a memorial on the subject from Mr. Smith.

This correspondence throws a good deal of light on the value of the public lands in that day, as pointed out by the Governor. He said :—

I have the honour to acknowledge the receipt of Your Grace's letter No. 6, dated the 13th of March last.

Before I enter upon the purchase of the house and grounds belonging to Mr. Smith, the late Speaker of the House of Assembly, which Your Grace has given me authority to complete for the establishment of a school, I beg leave to submit the following observations for Your Grace's consideration and decision :

The situation of Mr. Smith's house being immediately opposite the American Fort at Niagara, and completely within the reach of their guns, appears to me an objection of some magnitude to establishing a public school in such a situation.

The mode recommended for the payment of this purchase, namely from the school and college fund, is another material objection, as no such fund exists at present. They are indeed twelve townships containing about 550,000 acres of land set apart for the endowment of schools, but not an acre of these lands have yet been sold, and the price of land from the great quantity to be disposed of by individuals, being exceedingly low at present, I do not think it advisable to attempt the disposal of any part of them until I receive Your Grace's further orders.

To enable Your Grace to form an idea of the present low price of lands in this Province, I have the honor of stating, that when the townships of Dereham and Norwich (sanctioned by Your Grace to be sold for defraying the expense of the road now making between York and the eastern parts of the Province) were brought to sale this spring, only 81,000 acres could be sold of the 96,000 acres these townships consisted of, a list of the names of the purchasers I beg leave to enclose ; and these 81,000 acres produced only four hundred and eleven pounds, sixteen shillings more than the same quantity of land would have brought, had they been granted to applicants under the new regulations.

In consequence of several conversations I have had with Mr. Smith on this subject, since his arrival here ; he has delivered me a memorial proposing two modes for the final adjustment, of this purchase, which I have the honour of transmitting herewith for Your Grace's information. If lands in the western part of the Province should be given to Mr. Smith for his house and premises at Niagara, at the rate of one shilling Halfpenny currency per acre, as stated in his memorial, he will have to receive 75,300 acres. I have informed Mr. Smith that I can take no steps with regard to the purchase of his house until I have an opportunity of receiving Your Grace's further orders on that subject.

The memorial of the Hon. D. W. Smith, enclosed by Lieutenant-Governor Hunter to the Duke of Portland, was as follows :—

To His Excellency Peter Hunter, Esquire, Lieutenant-Governor of His Majesty's Province of Upper Canada, and Lieutenant-General Commanding His Majesty's forces in Upper and Lower Canada, etc., etc., etc.

The memorial of D. W. Smith, Esq., respectfully represents to Your Excellency.

That on the 26th of November, 1798, it was unanimously recommended by a Board, consisting of the Council of the Law Officers, that my house and lands at Niagara should be purchased ; the former for a free grammar school, and the latter as part of the endowment for it—and that competent persons should value them. This was unanimously approved in Council, the Honourable Peter Russell then in the administration of the Government. The valuation was made and the whole proceedings transmitted home for confirmation. Previous to my leaving England, I was informed by Mr. King, Under Secretary of State, that His Grace the Duke of Portland had written to Your Excellency to authorize the purchase.

Finding, however, upon my arrival here, that no part of the lands set apart for the school fund has yet been sold, I pray that Your Excellency may be graciously pleased to take such steps for carrying His Grace's intentions into execution, as to you, Sir, may seem meet ; and as delay will be injurious to me, I have considered it better to sacrifice a part of my expectations if I can obtain a ready receipt of the remainder. I most humbly offer two proposals to Your Excellency, either of which, but particularly the latter, is, I conceive, so beneficial to Government that I hope it will meet Your Excellency's approbation. The first is an offer to be a pur-

chaser of lands in the western part of the Province, at one shilling per acre (to the amount of the estimate), which will be one-third more than the land has been estimated at by the Board as necessary to create the fund, and half as much again as the average at which the lands lately sold for in Dereham and Norwich. Or, secondly, as my private affairs would be very much advanced by an immediate payment, I consent to make a deduction of four thousand dollars, if Government will pay me the remainder in cash.

All which is submitted to Your Excellency's wisdom.

(Signed)

D. W. SMITH.

York, 1st September, 1800.

## CHAPTER X.

### EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA, 1799.

(There is no record of any proceedings of an educational character in either House of the Legislature of Upper Canada during the years 1791-1793.) The Journals of both Houses for the years 1794 to 1797 are not in the Parliamentary Libraries of either Ottawa or Toronto.

His Honour, President Russell, opened the third session of the second Parliament of Upper Canada on the 12th of June, 1799.

The following is an extract from the President's Speech on the occasion:—

I have it in command to inform you, Gentlemen, that your very loyal and dutiful joint Address to His Majesty towards the close of your last Session, was received by the King in the most gracious manner, and that His Majesty was pleased to express his peculiar satisfaction at the attention paid by the Legislature to the future happiness of his faithful subjects in Upper Canada, by the means they are taking to lay the foundation of sound learning and religious education for the benefit of the rising generation.

#### 1. PROCEEDINGS OF THE HOUSE OF ASSEMBLY, 1799.

*15th June, 1799.* Mr. D.M. Rogers, seconded by Mr. Hardison, moved for leave to bring in a Bill for the putting of apprentices, or binding to trades, orphans and the children of parents departing this Province, and leave was given accordingly.

*17th June, 1799.* A Bill for the putting of apprentices or binding to trades, orphans and the children of parents departing the Province was read the first time. On motion of Mr. Rogers, seconded by Mr. Richard Beasley, ordered that the said Bill be read a second time tomorrow.

*19th June, 1799.* The Bill which had been introduced on the 15th June, intituled "A Bill for the putting apprentices or binding to trades orphans and the children of parents departing the Province," was passed under the title as amended in Committee, "An Act to provide for the Education and Support of Orphan Children." It was then carried up to the Legislative Council for its concurrence.

*22nd June, 1799.* A message was received from the Legislative Council informing the House that it has concurred in passing a Bill to provide for the education and support of orphan children, with an amendment to which the concurrence of this House, after going into Committee on the amendment, it was agreed, and the Bill was passed as so amended.

*24th June.* Mr. Speaker signed the Bill to provide for the education and support of Orphan Children. Concurred in as amended and engrossed accordingly.

A committee was appointed to carry back to the Legislative Council the Bill to provide for the education and support of Orphan Children and to inform them that this House has concurred in their amendment therein.

#### 2. PROCEEDINGS OF THE LEGISLATIVE COUNCIL ON THIS BILL, 1799.

*19th June, 1799.* A deputation from the House of Assembly was announced, and having been admitted brought up for the concurrence of this House a Bill intituled "An Act to provide for the education and support of Orphan Children," which Bill was read a first time. The Hon. Mr. Richard Cartwright, jr., seconded by the Hon. Mr. Aeneas Shaw, moved that the said Bill be read a second time tomorrow. Ordered accordingly.

21st June, 1799. The Order of the day being read : A Bill for the education and support of orphan children was read a second time, and on motion of Hon. R. Cartwright, duly seconded, it was ordered that the House do resolve itself into a Committee of the Whole House for the purpose of taking the said Bill into consideration ; whereupon, the House having resolved itself into the said Committee, Hon. R. Hamilton in the Chair, took the same into consideration.

The Speaker having resumed the Chair, Mr. Hamilton reported that the Committee had made progress in the consideration of the said Bill, and requested leave to sit again. Ordered, That the said report be accepted, and that leave be given to sit again tomorrow.

22nd June, 1799. The Order of the day being read, the House conformably thereto resolved itself into a Committee upon the further consideration of a Bill " To provide for the education and support of Orphan Children."

The Speaker having resumed the Chair, Mr. Hamilton reported that the Committee had gone through the consideration of the said Bill, and had amended and agreed to the same, which report was accepted. And the amendment being engrossed, the said Bill was read a third time as amended and signed by the Speaker.

Mr. David Burns, the Master-in-Chancery carried down to the House of Assembly for concurrence in the amendment thereto, the Bill relating to Orphan Children.

24th June, 1799. A deputation from the House of Assembly brought up the Bill relating to orphan children, informing this House that they had concurred in the amendment made thereto.

29th June. The Bill was passed as follows :—

# AN ACT TO PROVIDE FOR THE EDUCATION AND SUPPORT OF ORPHAN CHILDREN. Orphan children. Act, 1799.

## 39th George 3rd, Chapter 3.

The Honourable Peter Russell, President. Passed 29th June, 1799.

Whereas it is expedient to provide for the education and support of orphan children, or children who may be deserted by their parents ;

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled " An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled ' An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,' " and by the authority of the same, Enacting section.

That when the father and mother of any infant child shall die, or shall abandon their infant child or children, it shall and may be lawful for the Town Wardens of any township where such child or children shall be, by and with the approbation and consent of two of His Majesty's Justices of the Peace, to bind the said child or children as apprentices until he, she or they, shall have obtained the age of twenty-one years in the case of males, and eighteen in the case of females ; and an indenture to this effect, under their hands and seals, and countersigned by two Justices of the Peace, shall be good and valid in law. Town Wardens, with approbation of two Justices, may bind orphan and abandoned infant children. Sec. 8, George 4th, chapter 6.

2. And be it further enacted by the authority aforesaid, That when the father of any infant child or children shall abandon and leave such infant child or children with the mother, it shall and may be lawful for the mother in such case, by and with the approbation of two of His Majesty's Justices of the Peace, to bind such child or children as apprentices until he, she or they, shall have attained the age of twenty-one years in the case of males, and eighteen in the case of females ; and an indenture to that effect, under her hand and seal, and countersigned by two Justices, shall be good and valid in law. The like power given to the mother when the father abandons his infant children.

3. Provided always, and be it further enacted by the authority aforesaid, That when the relations of any orphan or abandoned infant child or children are able and willing to support and bring them up, then and in such case it shall not be in the power of the Town Wardens to apprentice such child or children. Exception.

4. Provided always, and be it further enacted by the authority aforesaid, That no infant child or children having attained the age of fourteen years shall be liable to be apprenticed as aforesaid unless he, she or they consent thereto. Further exception.



NOTE.—This was the first Act passed by the Legislature of Upper Canada, in which provision was made for the care and oversight of children. Its preamble speaks of their "education"; but no provision is made in the Act itself for such education. It may have been provided for in some previous law or ordinance governing the apprenticeship of children and minors.

Brief sketches of the members who took part in educational legislation will be found in connection with the recorded proceedings of each year.

## CHAPTER XI.

### SCHOOLS IN EXISTENCE IN UPPER CANADA DURING THE EARLY PART OF 1800.

The only private schools which I find were in operation in Upper Canada down to 1810 were those enumerated in the following list:—

In the year 1786, Rev. Dr. Stuart\* opened a select classical school at Catarqui (Kingston); and a Mr. Donovan taught the Garrison school there. In 1786, Mr. Jonathan Clarke taught a school in Frederickburg, and, in 1788, one at Matilda, and Mr. Smith one in Ernestown. In the same year, or in 1789, Mr. Lyons kept school at Hay Bay in Adolphustown. About the same time, Deacon Traves, a Baptist, opened one at Port Rowan. In 1791, Mr. D. A. Atkins kept school at Napanee. In 1792, Rev. Robert Addison, an Episcopalian, opened a school at Newark, (Niagara), then the seat of Government. In 1794 the Rev. Mr. Burns, a Presbyterian (father of the late Judge Burns), opened a school at the same place; and in 1797, Mr. Richard Cockrel opened an evening school in Newark, (Niagara); Mr. Cockrel shortly afterwards transferred his school to the Rev. Mr. Arthur, and removed to Ancaster, where he opened another school. A notice in the *York Gazette* in 1796 stated that "as schools were now opened, ignorance would be no longer tolerated." In 1797, Mr. James Blayney opened a school at Niagara.

In 1798, Mr. Wm. Cooper opened a school in George street, Little York, (Toronto). In regard to him, Mrs. Edgar, wife of J. D. Edgar, Esq., M. P., in a letter dated November 19, 1893, thus refers to payments made to him for "schooling":—

I have an old account book of my grandfather's, Mr. Thomas Ridout, with a record of expenses from November, 1797, to November, 1804. From it I copy the following entries: "York, March 24th, 1798. To W. Cooper, for children's schooling to this day, £2 16s. 0d. (\$10). In December, 1798, paid Mr. Cooper, schoolmaster, for the children's schooling to the 19th instant, £2 16s. 0d. (\$10). February 2nd, 1799, paid Mr. Cooper, schoolmaster, one month's schooling, 16s. (\$2); two copy-books for George and Tom. 4s. (50c.) March 16, 1799, paid Mr. Cooper one month's schooling for George and Tom, 16s. (\$2)."

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\*Rev. John Stuart, D.D., was born in Virginia in 1736. In 1769 he went to England to be ordained, and returned to Philadelphia in 1770. For seven years he labored as a missionary among the Iroquois Indians at Fort Hunter. He was then aided by the famous Brant in translating the New Testament into Mohawk. In 1781 he came to Upper Canada, and labored in this Province as a missionary among the refugee loyalists and Iroquois. He subsequently became rector of Catarqui (Kingston), and chaplain to the Legislative Council. He died in 1811, aged 75 years. One of his sons was the late Archdeacon Stuart, of Kingston; another was the late Chief Justice, Sir James Stuart, of Quebec.

This Mr. Cooper evidently acted as parson as well as schoolmaster, for in a letter of my father's he recalls going to the jail on New Year's day, 1800, and hearing old Mr. Cooper preach a sermon.\*

The last entry referring to Mr. Cooper is a record of the Notarial Office, and is March 7th, 1801 : Count de Chalus to Notarial Office, Dr., for drawing a bill of sale from him to Mr. W. Cooper for the sale of a negro woman, 12s. (\$1.50). †

Mr. John J. Purcell also kept school at York in 1798. Mr. Bain of the Public Library gave me one of his school receipts of that year. It is dated September 26th, 1798, and is written in a clear, beautiful hand, as follows : Received from Wm. Jarvis, Esq., the sum of eight shillings currency of the State of New York (\$1), being payment for one month's schooling for his son.—John J. Purcell. Mrs. Edgar also states in her letter that the following entries are in her grandfather's book :—

August 2nd, 1798, paid Mr. Purcell, schoolmaster, entrance money for George and Thomas, 16s. (\$2) ; also for Nancy, 8s. (\$1). These children were 7, 6 and 5 years old. September 25th, 1798, paid Mr. Purcell one month's schooling for three children, £1 4s. 0d. (\$4.50).

In 1799, an Orphan school was opened in St. Catharines, and earlier, Mrs. Cranahan kept the "Sylvan Seminary" in Adolphustown, at which Sheriff Rattan, of Cobourg, was a pupil. The other persons mentioned by various writers, or in local records, as having acted as school teachers prior to 1800 were : Messrs. Myers, Thomas, Morden, Michael, William, Faulkner, Irish, McCormack and two sons of Mr. Edward O'Reilly. In 1800, the late Bishop Strachan opened a private school at Kingston. In 1802, Mr. and Mrs. Tyler opened a school near Niagara ; and in the same year Dr. Baldwin (father of the late Hon. Robert Baldwin), gave notice that he would open a classical school at York ; and in 1803 Dr. Strachan opened a school in Cornwall ; in the same year the first school in Prince Edward district was opened at "High Shore" by Mr. Salisbury, Sophiasburg ; another at "Grassy Point" was taught by Mr. John James, and one at "Hay Bay," by Mr. McDougall. Rev. Wm. Wright, (Presbyterian), kept the first school at Myers' Creek, (Belleville), in 1805. He was followed by Mr. Leslie. In that year Rev. Dr. Strachan held the first public examination of his school at Cornwall, (see page 34). In 1806, Mr. Smith taught a school in Ernestown. Mr. Gibson then, or later, taught school in Thurlow. In 1807-8, Mr. James Potter taught school at the mouth of Myers' Creek, as a successor to Mr. Leslie, who had previously taught school there. In 1810, Mr. John Walkins taught school in Belleville.

#### PARTICULARS AS TO SOME OF THESE SCHOOLS, ETC.

It may be interesting, in connection with this list, to give copies of the "cards," or announcements, of a few of these schools, as issued by the Principals

\* Rev. Dr. Scadding, in his "Toronto of Old," refers to a Mr. William Cooper as follows : "Up to 1803 the Anglican congregation had assembled for Divine worship in the Parliament buildings ; and prior to the appointment of the Rev. John Stuart, or in his absence, a layman, Mr. Cooper, afterwards the well-known wharfinger, used to read the service." (Page 118.)

† Dr. Scadding also refers to Count de Chalus as one of the many French military refugees who settled up Yonge St. during the French revolution. He says that (on the Vaughan side) lot No. 58 was owned by René Aug. Comte de Chalus, Quetton St. George and Ambroise de Farcy. The Count also was part owner of lot No. 61, King ; No. 53 and 54, Markham. He derived his title from the castle of Chalus in Normandy. (Page 469.)

Preceptors or Teachers, as they may have been designated in these early days. Some of them are quaint, and some are stilted, in their style. Most of these announcements are, however, more minute in the particulars given than would be considered dignified, or professionally correct, in these later times.

### 1. *Cockrel's Evening School at Newark (Niagara), in 1796.*

Under date of November 28th, 1796, Mr. Cockrel advertised his school as follows :—

An Evening School will be opened in this town on Monday next. Terms : Writing, Arithmetic and Bookkeeping taught at four shillings per week. For teaching any particular branch, either in practical or speculative Mathematics, eight dollars. The hours of attendance are from 6 to 8 o'clock in the evening.

On the 28th of December of the same year he issued a Card, as follows :—

Mr. Cockrel takes this method of returning his sincere thanks to the inhabitants of Newark and its vicinity for their polite attention and patronage during the time he acted as schoolmaster.

But having resigned, he is happy in announcing to the public that the Rev. Mr. Arthur has been prevailed on to be his successor ; and from a knowledge of his abilities and conduct, there is not the least doubt of his rendering the greatest satisfaction to those who may think proper to place their children under his care.

### 2. *The Reverend Mr. Arthur's Boarding School, Newark (Niagara).*

On the 28th December, 1796, Mr. Arthur issued the following announcement :—

The School lately taught by Mr. Richard Cockrel will be opened on Tuesday next, under the direction of the Rev. Mr. Arthur.

The pupils will be instructed in Reading according to the most approved method, and English Grammar, Writing and Arithmetic, the Latin and Greek languages, Geography and the Mathematics, to which will be added, if required, an introduction to the other sciences.

If any number of boys offer, and books can be procured, a Latin class will be commenced immediately.

In March (8th) of the following year, Rev. Mr. Arthur's announcement was as follows :—

Rev. Mr. Arthur takes this mode of announcing to the public that he intends, if encouragement offers, to be in readiness on the first of May, now ensuing, to receive a few young gentlemen for boarding and education.

Besides that attention which Mr. Arthur wishes ever to pay to the behaviour, religious instruction and literary improvement of all his pupils, his boarders will have the benefit of private tuition in Geography, and other parts of a useful and ornamental education.

Those who wish to know the terms may apply, either in person or by letter, at the School-house in Newark.

### 3. *Mr. James Blayney's School at Newark (Niagara), in 1797.*

On the 24th of May, 1797, Mr. Blayney stated that he intended opening a School in this town (Niagara) on the first day of June next, for the purpose of teaching Reading, Writing, Arithmetic, Bookkeeping and the various branches of the practical Mathematics.

### 4. *Mr. William Cooper's School at Toronto in 1798.*

Under date of November 3rd, 1798, Mr. William Cooper informed his friends and the Public that he intended opening a School at his house in George Street, York, on the 10th instant, for the instruction of Youth in Reading, Writing, Arithmetic and English Grammar.

Those who choose to favour him with their Pupils may rely on the greatest attention being paid to their virtue and morals.



In the following year, under date of York, July 6th, 1799, the following notice appeared :—

Mr. William Cooper, teacher of Mathematics in this town, has, not long since, passed an examination before the Rev. John Stuart, and received a license to teach School in this town, and it is to be hoped that all ranks of people will patronize so laudable an institution.

### *The Qualifications of School Teachers in 1799.*

In the *Upper Canada Gazette* of July, 1799, the following appeared :—

We are happy in being informed that no person will be countenanced, or permitted, by the Government to teach school in any part of this Province unless he shall have passed an examination before one of our commissioners, and receive a certificate from under his hand specifying that he is adequate to the important task of a tutor.

We conceive this piece of intelligence highly worthy of remark, as it will, in a great measure, prevent the imposition which the inhabitants of this country have hitherto experienced from itinerant characters, who preferred that to a more laborious way of getting through life.

And on the other hand, the rising generation will reap infinite benefit from it, as it will tend to stimulate and encourage men of literary characters to make permanent residence among us.

### *5. Mr. and Mrs. Tyler's Boarding School, Niagara, 1802.*

Under date of 25th of January, 1802, Mr. and Mrs. Tyler stated that they had opened a school for the instruction of youth at a place situated on the river Niagara, between Niagara and Queenston. Their "Card" was as follows :—

Mr. and Mrs. Tyler take the liberty of informing the public that on Monday, the 1st of February, they will open their School for young people—Men and Ladies.

They will keep a regular day School and night School. Children of each sex, above the age of four years will be received, and the price will be in proportion to the kind of instruction the parents may wish their children to receive.

They will teach in Reading, Writing and Arithmetic ; the young ladies will be instructed in all that is necessary for persons of their sex to appear decently and be useful in the world, and of all that concerns housekeeping, either for those who wish to live in town or country.

The situation is healthy and agreeable, and the house suitable for a number of boarders. People who during the heat of summer may be advised to move for change of air will meet with proper lodgings, healthy and cheap boarding.

Finally, nothing shall be neglected for health, instruction, religion and good morals, and they hope their endeavors to satisfy the public will more and more merit protection and encouragement.

Mrs. Tyler having been bred in the line of mantua maker, will receive and do her endeavors to execute her work in the neatest manner, to the satisfaction of those who may honor her with their custom.

She embraces this opportunity to render her sincere thanks for the protection she has received to this day.

### *6. Dr. W. W. Baldwin's proposed School at Toronto in 1802.*

On the 17th of December, 1802, Dr. Baldwin issued the following notice :—

Understanding that some of the Gentlemen of this Town have expressed much anxiety for the Establishment of a Classical School, Dr. Baldwin begs leave to inform them and the Public that he intends, on Monday, the third day of January next, to open a School, in which he will instruct twelve Boys in Reading, Writing, the Classics and Arithmetic.

The terms are for each Boy eight Guineas per annum, to be paid quarterly. One guinea entrance, and one cord of Wood to be supplied by each Boy on opening the School.

### 7. *Examination of Dr. Strachan's School at Cornwall, 1805.*

The *Upper Canada Gazette and American Oracle* of Saturday, August 24th, 1805, gives the following account of the examination of the Rev. John Strachan's school at Cornwall:—

On the 31st of July last a general examination took place of the young gentlemen under the tuition of the Rev. John Strachan, at Cornwall, Upper Canada. The invitation to the country at large, and the parents in particular, produced a most respectable meeting, among whom were the Rev. James S. Rudd, the Rev. Mr. Bethune, the Rev. Mr. McDonell, Mr. Justice Powell, the Solicitor-General, Colonel McDonell, Glengarry House, etc.

The students underwent in their different classes a rigid examination as well at the instance of the gentlemen of learning who attended, as of the Rev. Preceptor, in the following order:—The Latin Classics, Arithmetic, Book-keeping, Elements of Mathematics, Elements of Geography, of Natural and Civil History. The boys acquitted themselves with great credit; neither is it easy to declare in which branch of learning they succeeded best. The whole was interspersed with different pieces of poetry and prose, many of the most humorous cast composed for the occasion. Among the rest the annexed lines were introduced by way of prologue. The flourishing state of this infant seminary cannot fail of exciting the most lively satisfaction to this rising country, more especially as it holds out to our view a prospect of education on the most liberal scale for the succeeding race, independent of foreign aid.

### STATE OF EDUCATION IN UPPER CANADA, 1795-1799.

As to the actual state of education in Upper Canada at this time, we get a brief glimpse from the book of travels of the Duc de la Rochefoucauld, who visited Kingston in July, 1795. He says:—

In this district there are some schools, but they are few in number. The children are instructed in reading and writing, and pay each a dollar a month. One of the masters taught Latin, but he has left, without being succeeded by another instructor in the same language.

As to the character of the private schools thus established, and the facilities of education which they afforded, we learn incidentally from letters and early books of travel what they were. In a "Tour Through Upper Canda, by a Citizen of the United States," published in 1799, we learn that the policy of the Government of that day was to exclude "schoolmasters from the States, lest they should instil republicanism into the tender minds of the youth of the Province."

### ESSAY ON THE NECESSITY OF EDUCATION, WRITTEN IN 1799.

The following Essay on Education appeared in the *Upper Canada Gazette* of the 13th July, 1799. It is inserted in this collection for the purpose of illustrating what were the prevailing thoughts and feelings on this important subject in these early days, and to show how such a subject was treated by the writer in those times. Incidentally the essay gives rather a gloomy picture of the youthful character of the day, and of the tendency to evil, which parental restraint and careful and judicious training in school the writer thinks would help to correct. He said:—

By giving publicity to the following essay, through the medium of your useful paper, you will oblige one who feels for the promotion of literature in this country:—

'Tis education forms the common mind;

"Just as the twig is bent, the tree's inclined."

—POPE.

However ignorant we are of the materials of which the common mind is composed, this truth is clear, that in its infant and tender state impressions are made with the greatest ease; and those impressions which are then made are generally of a very durable nature.

It is with the greatest difficulty they are ever eradicated in any future period.

They are often the leading traits in a person's character through life.

The certainty of a person's imbibing principles in youth by which his future conduct and character will be shaped is much greater than that of any other period.

"Train up a child in the way he should go, and when he is old he will not depart from it." This being the case, the importance of an early formation of the young and tender minds of youth cannot be too often nor too forcibly inculcated. It is a matter of the greatest moment, and he who has the superintendence of the education of a family of children should consider it an employment of the greatest importance that could devolve upon him.

He is not only acting for himself, but for the community at large, and possibly for many generations yet to come.

He is forming them for the action on the great theatre of the world, where they will undoubtedly act in conformity to the precepts and examples received in their infancy.

If a parent, then, would wish to see his children possessing respect, honour and esteem of their fellow creatures, he must in their early infancy instil into their mind principles of virtue, for virtue is the foundation of every action which renders a man a valuable member of society; but if these principles are not implanted while the mind is yet young and tender, it is with difficulty their beauty can afterwards be discovered.

When the mind has become inured to vice, the practice of it becomes pleasing and agreeable, and the beauties of virtue have not a captivating power.

And I am bold to assert that it is chiefly owing to the neglect and misconduct of parents, and those whose duty it is to form and fashion the tender minds of youth, that prisons are so crowded with criminals, and courts of justice have the culprit so often arraigned before them.

Whenever I see a person receiving a punishment, inflicted upon him for a crime committed against the community, I consider him less guilty than those who had the superintending of his education; for had they, when the plants of vice were yet young and tender, suppressed their growth—had they represented vice with all its horrors and fatal consequences—it is impossible but it must have taken effect, and made it ever after appear in its true and odious light; who might otherwise have made characters of the first respectability are dragged in chains to a dungeon, there to spend a miserable and infamous life!

What, then, must be the feelings of a parent, seeing his child in this situation, when he considers himself the primary cause of the infamy and disgrace?

And what better prospect than this can those parents have with whose children our streets are thronged, who, no sooner than they are able to lisp a sentence, have their mouths filled with the bitterest curses, the profanest oaths and execrations?

It is truly a subject which requires their most serious attention.

Most of our children now, as soon as their age will admit of their passing the threshold of the doors, and they are able to articulate a word, learn the most impious language, and to practise every impiety which we should expect to find in the most abandoned character of mature age.

Whatever the parent may think of this, with however little attention he may regard it, however trifling it may appear to him, he may rest assured it is a bold beginning towards destruction.

It is the sure prelude of the child's rapid progress to infamy.

Wherefore, parents, if you wish to save your children, if you wish to make them respectable members of society, if you wish in your old age to receive consolation in their honor, stop their vicious projects and teach them virtue.

## CHAPTER XII.

### SETTLEMENT AND EDUCATION OF THE SIX NATION INDIANS, 1784-1800.

In the *Toronto Telegram* of the 1st of April, 1893, appeared copies of correspondence which took place in 1796-1800, between the Teacher of the Mohawk School, on the Bay of Quinté, and the Rev. Dr. Stuart—to whom reference has been already made, (page 30), and who travelled as a Missionary of the Church of England between the York and Cataraqui of those early days. The correspondence is the more interesting from the fact that, while the white loyalist settlers had to depend upon chance, and the few private, or garrison, schools



which existed here and there, for the education of their children, yet, even then, efforts were made to provide schools for the Six Nation Indians, who had stood firmly by the British cause during the American Revolution.

After the war was over, the leading tribes of the Six Nations refused to remain in the United States, but under Brant, their leader, removed—part of them to the Grand River, and a Mohawk tribe of that Nation to the Bay of Quinté.

On the application of Brant and other Chiefs and Warriors of the Six Nation Indians, General Sir Frederick Haldimand, then Governor-General, granted "to them, in 1784, and to their posterity for ever, the Grand River, or Ouse, from its source to its entry into Lake Erie, extending six miles on each side of the River, and forming a space of land about one hundred miles in length by twelve in breadth," and including 694,910 acres of land. The area included in this grant was purchased from the Messesagnes, or Mississagua Indians—a seventh nation.

Of the Mohawk Nation—one of the six—a tribe settled on the Bay of Quinté, in 1784. They received a grant, in that year, under Letters Patent from the Crown, of 92,700 acres.

As Rev. Dr. Stuart had been a devoted Missionary for seven years among the Six Nations in the Mohawk Valley in New York, he naturally felt a warm and tender regard for them. They, like himself, had been expatriated to Canada from the beautiful Valley of the Mohawk River. He had translated the New Testament into the soft, yet sonorous language of the Iroquois, and had become endeared to them by many an heroic deed, and many touching associations—and that too in a struggle, in which he, with ardent sympathies for the Royal cause, was forced to be a man of peace and a non-combatant in the struggle.\*

Mr. Stuart took no part in the contest, but, being a loyalist, he incurred the hostility of the insurgents. His house was attacked and plundered. His church was turned into a tavern and afterwards used as a stable. He was made a prisoner, but was exchanged for an officer, who was captured by the royal forces and detained in Canada. On the 9th October, 1781, he reached St. John's, Province of Quebec, accompanied by his wife and three small children. In a letter he says, "I am the only refugee clergyman in this Province." It was not till June, 1784, that Mr. Stuart made his first visit to Upper Canada, when he visited the new settlements on the St. Lawrence and Niagara, and the Mohawks on the Bay of Quinté and Grand River. He officiated at several places on his journey, one of which was at Tyendinaga, the Mohawk Settlement, on the Bay of Quinté, where the Indians were laying the foundations of a village, which is now the town of Deseronto.

\* Sir John B. Robinson, Chief Justice of Upper Canada, in a letter dated August 5th, 1847, says:—"There was something in the Rev. Dr. Stuart's appearance that could not fail to make a most favorable impression. He was about six feet, two inches in height, with fine muscular features, expanded chest, erect figure, straight well-formed limbs, and a free, manly carriage, improved by a fondness in his youth for athletic exercise. . . . From my recollection of him, I should say that I have seen no one who came so fully up to the idea one is led to form of a fine old Roman—a man who capable of enduring and defying anything in a good cause; incapable of stooping to any thing in the least degree mean or unworthy." (Mr. H. J. Morgan's *Celebrated Canadians*, page 126.)

In regard to the school for the Mohawks of the Bay of Quinté, the following correspondence took place between the Rev. Dr. Stuart and Mr. William Bell, schoolmaster to the Mohawks on the Bay of Quinte, afterwards Colonel of the First Regiment of Hastings Militia. This correspondence extends over the period from September 26th, 1796, to August 26th, 1802.

Col. Bell had served in the ranks as a British soldier, and had an honourable discharge. He was intimately associated with, if not related to, Col. John Ferguson, at the time a well-known and influential person at Kingston. He finally settled a few miles east of Belleville, and became a Coronor, Justice of the Peace, and Colonel of the First Regiment of Hastings Militia.

Before the appointment of Mr. Bell as teacher of the Mohawk children on the Bay of Quinté, the Rev. Mr. Stuart had received £30 as a yearly grant from the English "Society for the Propagation of the Gospel in Foreign Parts," so as to enable him to appoint such a teacher. Mr. John Bining, the son of a Moravian missionary, who had accompanied Rev. John Wesley to Virginia, applied for the position, and the Rev. Mr. Stuart appointed him in 1792. He was a man of a kindly missionary spirit, and was very acceptable to the Indians. He continued to teach the school for about three years and then resigned.

The first letter in this correspondence is from Dr. Stuart to Mr. Bell, in answer to one from him. It is dated

KINGSTON, September 26, 1796.

SIR,—I received your letter respecting the Mohawk school. I can give you no positive answer at present, because I have agreed, conditionally, with a schoolmaster at Montreal; that is, if he comes up, he is to have the school; but three or four weeks are elapsed since he promised to give me a positive answer. I expect daily to hear from him, although I do not think it very likely that he will accept of the employment.

Some time ago Mr. Ferguson mentioned you to me as a person who would probably undertake that charge. I told Captain John that if the person from Montreal disappointed me I would talk with you on the subject. Therefore, if you come to Kingston about the time you mention, I will be able to give you a positive answer.

The salary is £30 sterling, with a house to live in and some other advantages which depend wholly on the pleasure of the Mohawks. But the teacher must be a man, and not a woman, however well qualified.

The Society for the Propagation of the Gospel in Foreign Parts was the custodian of the Fund for Indian Education, and on that Society the following draft was drawn:—

MOHAWK VILLAGE, BAY OF QUINTE, July 5th, 1797.

SIR,—At thirty days' sight of this my first of exchange, (second and third of same tenor and date unpaid), please to pay Mr. Robert Macaulay or order the sum of fifteen pounds sterling, being my half year's salary from the 15th day of November, 1796, to the 15th day of May, 1797, due from the society, without further advice from, sir,

Your humble servant, WILLIAM BELL, Schoolmaster to the Mohawks.

TO CALVERT CLAPHAM, Esq., Treasurer to the Society for the Propagation of the Gospel in Foreign Parts, Duke Street, Westminster, London.

The Mohawks evidently did not take a deep interest in the education of their offspring, for the school was not over crowded; indeed the number in attendance

was so few that the teacher stood a fair chance of losing his position. Such being the case, Dr. Stuart addressed the following letter to Mr. Bell, dated

KINGSTON, August 18, 1799.

Unless the Mohawks will send such a number of their children to school as will justify me in continuing a schoolmaster, in duty to myself, as acting for the society, I shall be under the disagreeable necessity of discontinuing the payment of your salary after the expiration of the present year, which I believe will be next month. This information I think proper to give you, that you may govern yourself accordingly.

The letter had a good effect, for in March of 1800 the school was "furnished with a dozen or more scholars." The instructions as regarded discipline were that it must be strict, and that the teacher must see "that prayers are read night and morning," and that in case the parents were delinquent in not sending fire wood, so that the youthful aborigines need not be frozen, "that the children may not be sent home," and further, "that cattle may not be allowed to get into the school." The cattle were evidently visitors after regular school hours. A further injunction was that the wood be used only "in school hours," no doubt to prevent the room being made a place of public resort. This improved state of things having been communicated to the Rev. Dr. Stuart, he wrote the following letter to Mr Bell, dated

KINGSTON, March 16, 1800.

By a letter lately received from your place, I am happy to hear that the school is now furnished with a dozen or more scholars; and it is expected that you will be very strict in your discipline and see that the prayers are read, night and morning—that the children are taught the Lord's Prayer, Creed, and the Ten Commandments—that children may not be sent home, even if their parents do not send wood at the stated times—that cattle may not be allowed to go into the school, but that it be kept clean, and the wood belonging to it may not be used unless in school hours. The opportunity of writing being unexpected, I can only give you those short hints at present. However, your own discretion will point out to you that every reasonable method of giving satisfaction and being useful should be adopted.

The attendance at the school having again fallen off, Dr. Stuart's patience was exhausted. Not a scholar had been for months inside the school, and he therefore insisted that the pedagogue's vocation would be gone if "six constant scholars" were not furnished. The following letter was, therefore, sent to Mr. Bell, dated

KINGSTON, September 11th, 1801.

I have waited with patience to see whether the Mohawks would send their children more regularly to school. But, if the accounts I receive are true, the money is expended to no purpose. I am told that there has not been a scholar in school since last spring; and, as I have never found that the fault was on your side, I cannot in conscience allow the salary to be paid for nothing.

Therefore, unless Captain John and the chief men of the village will promise that the school shall be furnished with at least six constant scholars I must dismiss you from their service; that is, if you now have, or are promised immediately, six scholars, the school may continue; if not it must cease as soon as you receive this notification.

I hope you will see the reasonableness of this determination of mine. And you may show this letter to Captain John and the other Mohawks, by which they will see that the continuance or discontinuance of the school depends wholly on themselves.



Mr. Bell seemed to have but little success in inducing the Mohawks to send their children to his school. Still it was continued for nearly a year after this letter was written. However, in the next year, Mr. Stuart finally wrote to Mr. Bell as follows, dated :

KINGSTON, 26th August, 1802.

I have not yet received any letter from the Society in England, but for the reasons I mentioned to you I think it expedient to let the Mohawk school cease, at least for some time. I therefore notify you that after your present quarter is ended you will not expect a continuance of the salary.

Some time after this things changed for the better; and the Schools for the children of these Mohawk Indians are now supported by the Indian Fund at the disposal of the Department at Ottawa, and by the long established New England Company.

#### THE NEW ENGLAND COMPANY, OR SCHOOL SOCIETY, 1649-1661.

The Six Nation Indians which were transferred from the State of New York to the Grand River, fared somewhat better than the Mohawk tribal branch of them that settled on the Bay of Quinté. They were provided with Schools by the New England Company—a company formed as far back as 1649, by the Long Parliament. An interesting sketch of this Company, prepared by Dr. M. J. Kelly, Inspector of Public Schools in the County of Brant in 1883, is inserted as follows :—

“As the New England Company has done so much here and elsewhere for the moral and intellectual elevation of the Indian tribes of North America, a brief sketch of its history may not be amiss in this preliminary report. The company was first established by the Long Parliament, in 1649. The first Pilgrim Fathers reached America in the “Mayflower” in 1620. The celebrated John Eliot followed in 1631. Through the work of Eliot and the publication of his eleven tracts, the wants of the North American Indians became known in England. The result was the original establishment of the Company now known as the “New England Company.” Long distinguished as the “Apostle of the North American Red Men” this zealous missionary Eliot was a graduate of the University of Cambridge, and commenced life as a schoolmaster. On the flight of Hooker, the head master of the school in which he was assistant, Eliot, who was also of the Puritan way of thinking, sailed with Governor Winthrop’s family and other emigrants for Boston, where he at once entered upon the work to which he devoted his life.

The royal charter for establishing the colony had declared that : “To win over and incite the natives of that country to the knowledge and obedience of the only true God and Saviour of mankind, and the Christian faith, is our royal intention, and the adventurers’ free profession, is the principal end of the Plantation.” The colonial seal, too, represented an Indian with a label in his mouth, inscribed, “Come over and help us.” Having acquired a knowledge of their language, Eliot procured the establishment of schools, to which he induced the Indians to send their children. To aid him in his work he wrote his eleven tracts, in which he appealed with much force to the liberality of Christian people in England, and which led to the formation of the New England Company. The quaint wording of these tracts, as shown in their headings, is characteristic of the period. I transcribe some of the shorter headings. Tract II.—“The Day breaking, if not the Sun rising of the Gospel with the Indians in New England. London, 1647.” Tract III.—“The clear Sunshine of the Gospel breaking forth upon the Indians of New England. Thos. Shepard, London, 1648” Tract IV.—“The glorious prayers of the Gospel amongst the Indians in New England. Edward Winslow, London, 1649.” Nearly £12,000 stg. were forthwith collected by voluntary subscriptions throughout England and Wales, and out of this £11,430 were expended in the purchase of landed property at Eviswell, in Suffolk, a farm at Plumstead, in Kent, as well as several houses in London.

The corporation at home at once appointed commissioners and a treasurer in New England, who, with the income transmitted them by the authorities in England, paid itinerant missionaries and school teachers amongst the natives.

At the Restoration (1660), the corporation created by the Long Parliament became defunct ; for a while the income ceased ; but by the influence of "the excellent Robert Boyle," son of the Earl of Cork, and one of the founders of the Royal Society, an order of Charles II in Council was obtained 10th April, 1661, for a new charter of incorporation, vesting in the company then created (and now subsisting), the property which had been given or bought for the purposes of the late corporation. The Honorable Robert Boyle was the first governor of the company, which included, among other noblemen, the famous Lord Chancellor Clarendon. In 1822, the company transferred its operations from New Brunswick to other parts of British America, and has since established stations at various times and places, one of the most important being among the Mohawks and other Six Nation Indians settled on the banks of the Grand River, between Brantford and Lake Erie. In the year 1823, after a preliminary investigation on their behalf by the Rev. John West, and with the concurrence of Capt. Joseph Brant, the New England Company adopted resolutions respecting the placing fit persons, either individually or in mission families, at eligible stations in those parts of America in which the trusts of the company could be carried on. According y. the company in concurrence with Captain Joseph Brant, and with his assistance as a sort of lay agent, before 1827 commenced operations under the Rev. William Hough, as its first missionary, on the Grand River, and built two school houses near the Mohawk Village (about one and a half miles from Brantford), as well as a parsonage for the church there. This church possesses the communion plate and Bible presented by Queen Anne to the Indian church in the Mohawk Valley, which the Indians had been obliged to abandon. The Rev. Robert Lugger succeeded the Rev. Wm. Hough, as missionary, in 1827, and was in turn himself succeeded, ten years afterwards, by Archdeacon Nelles, who still officiates at the Mohawk church every Sunday, having as the principal part of his congregation, the boys and girls of the Mohawk Institute. The first grant of the New England Company for Indian school purposes, was made to Captain John Brant, son of the great chief, in 1822 ; this was for the erection of the two school-houses before referred to. In 1832, at the time of Captain John Brant's death, the New England Company supported seven schools on the Reserve. In 1830 the "Mohawk Institute" was established for teaching handicraft trades ; in 1833 it became a boarding school for ten boys and ten girls ; rebuilt in 1859, it was subsequently enlarged, and it has for many years accommodated forty-five boys and forty-five girls, who are all boarded, lodged, clothed and educated, free of charge. The institution is entirely supported by the funds of the company, the net cost of each pupil annually being about \$60. Attached to the Institute is a farm of 250 acres, and adjoining it the glebe belonging to the Mohawk church, all of which is Indian land held under a conditional tenure. There are in the Institute two teachers with the Superintendent, all of whom reside in the building. The boys and girls in relays receive instruction in the literary classes for two days, and work the third.

## CHAPTER XIII.

### SKETCHES OF NOTED TEACHERS IN 1800-1807.

The record of proceedings of the Legislature of Upper Canada in 1800, 1801 1802 and 1803 contain no reference to the subject of education. This silence for four years may be fairly taken as an evidence of the want of interest in schools on the part of the Legislature, and of the listless state of public feeling on the subject. It even evinced what was worse, a latent hostility to education *per se*, for when, in 1804, the matter was specially brought before the House of Assembly, in the form of a respectful petition from the County of Glengarry, praying for the establishment of schools "in the most central places," the proposal to do so was thrice rejected. During that session, when Mr. Sheriff McDonell brought in a Bill to give effect to the prayer of the petition, it was rejected by a vote of seven to five. Mr. McDonell's namesake from York afterwards moved to bring in a more restricted Bill on the same subject ; it, too, was rejected by a like vote. A third effort by another member was likewise defeated by the casting vote of the



Speaker. The efforts made in the same direction during the Session of 1805 were alike abortive, showing how, as yet, the popular branch of the Legislature had no sympathy with Governor Simcoe in his large-hearted zeal for the promotion of education in the Province. He was quite before his time in his desire to have schools and a university established in this country. His persistent letters on this subject to the Colonial Secretary, and to the first Anglican Bishop of Quebec, (whose jurisdiction extended to Upper Canada), attest this.

In the meantime the settlers had to depend upon private or remote garrison schools for the education of their children. Such schools were at that time few and far between. A brief statement in regard to these schools with the names of the pioneer teachers (all honor to them!) who taught in them at workmen's wages will be found on page 30. And while these less prominent men did their part with more or less ability, to keep alive a taste, if not a love for knowledge, the real vital spark of intelligence and sound learning was only kept aflame in the chief centres of the Province by such men as Rev. Dr. Stuart, his son, the Rev. G. Okill Stuart, and notably by Rev. Dr. Strachan, aided by libraries established here and there. A sketch of these pioneer educators, (as they were in the best sense,) will be most appropriate here, in the interval of four years in this documentary narrative, caused by the interregnum which took place in educational parliamentary proceedings during the years 1800-1803.

#### THE REV. DR. STRACHAN, TEACHER AT KINGSTON, CORNWALL AND TORONTO.

In a charge which Dr. Strachan, as Bishop of Toronto, delivered to his clergy in 1860, he gave the following particulars of his early life, and of his first experience as a school teacher :

It is generally known that, in emigrating to this country, I had a different object in view than that of entering the Church of England, but a wise and kind Providence ordered otherwise.

In 1796, having finished my terms at King's College, Aberdeen, and proceeded to the Master's degree, I removed to the vicinity of St. Andrew's and, while there, I contracted several important and lasting friendships, amongst others, with Thomas Duncan, afterwards Professor of Mathematics, and also with Dr. Chalmers, since then so deservedly renowned. We were all three nearly of the same age and our friendship only terminated with death, being kept alive by a constant correspondence during more than sixty years.

After leaving St. Andrew's I was for a time employed in private tuition but, having a mother and two sisters in a great degree dependent on my exertion, I applied for the parochial school of Kettle, in the County of Fife, and obtained it by public competition, and here, at the age of nineteen, I made my first essay in the great field of educational labor, commencing my career with deeply rooted love for the cause, and with something of a fore-knowledge of that success which has since crowned my efforts.

It was my practice to study and note the character and capacity of my pupils as they entered the school, and to this discrimination, which gave correctness to my judgment, many owe the success which they ultimately achieved. Among my pupils at that time was Sir David Wilkie, since so well known as one of the first painters of the age. I very soon perceived Wilkie's great genius, and, with much difficulty prevailed with his uncle to send him, still very young, to the celebrated Raeburn, then enjoying the highest reputation [as a painter] in Scotland. It is pleasing to remark that after an interval of perhaps thirty years the preceptor and scholar met in London, and renewed an intimacy so profitable to one and honorable to both. We attended the meeting of the British Association together, and saw much of one another during my short stay in England. Often did Sir David Wilkie, at the height of his fame, declare that he owed



everything to his reverend teacher and that but for his interference he must have remained in obscurity. Commodore Robert Barclay, afterwards so unfortunate on Lake Erie, from causes over which he had no control, was another of my pupils. He was a youth of the brightest promise, and often have I said in my heart that he possessed qualities which fitted him to be another Nelson, had the way opened for such a consummation. While at St. Andrew's, the Reverend James Brown, one of the acting professors of the University, a gentleman of vast scientific attainments, became so exceedingly attached to me as to take me under his kind protection. After some time he was advanced to the Chair of Natural Philosophy in the University of Glasgow, to which place he removed. Still interested in my welfare, he proposed to me to become his attending assistant, to prepare and make the experiments necessary for the illustration of his lectures and, in his absence from infirm health, which was not unfrequent, to read his prelections and discharge such of his duties in the lecture room as I was qualified to undertake. But difficulties intervened to prevent this arrangement from being carried out when almost completed, and Dr. Brown was, as he intimated to me, reluctantly induced to retire on a pension. But our mutual attachment continued through life. This to me was a very bitter disappointment. A career of honorable usefulness had been opened in a way after my own heart, and it was in a moment destroyed. But I was not overwhelmed, for God had in His goodness given me a cheerful spirit of endurance and a sanguine disposition as to the future, which it was not easy to depress; and a kind Providence, even before I had altogether recovered the shock, presented to me an opportunity of removing to another sphere of activity and, in the frame of mind in which I found myself, I was the more disposed to accept employment in Canada.

Dr. Strachan's account of his removal to Canada and of his arrangement with the Honorable Richard Cartwright, are narrated in his own words on page 9. The agreement with Mr. Cartwright to instruct his sons included also the right to receive other pupils. Thus the school at Kingston began and was continued there for three years. After his ordination in 1803, Dr. Strachan removed to Cornwall. In Bishop Bethune's *Memoir of the Right Reverend John Strachan*, he says:

Mr. Strachan's clerical duties at Cornwall were not such as to occupy his whole time, so he soon commenced taking pupils and gradually formed that school which afterwards obtained so much celebrity. Amongst his earliest pupils was the late Chief Justice of Upper Canada, Sir John B. Robinson, who went to him in the autumn of 1803, having been previously under his charge at Kingston. . . . One after another of those distinguished men followed Dr. Strachan to Cornwall as pupils—men whose names adorn our Canadian history. . . . In a letter received by Dr. Strachan from the first Bishop of Quebec in 1809, the Bishop said: "I am glad that your school—a much more acceptable term in these days than academy—goes on well. I congratulate you both upon your success and your usefulness."

In regard to Dr. Strachan's removal to Cornwall, the late Bishop Fuller, in a funeral sermon on his demise in 1867, stated that he was:

Induced to resume his school at the solicitation of the parents of those boys who had been in his school at Kingston and of others both in Lower and Upper Canada, who were desirous of placing their sons under a master so practical, wise and successful as he had proved himself to be. Thus he commenced the school at Cornwall, which afterwards became so celebrated, and at which were educated the first men that Canada has produced, and of whom she may well be proud—such men as the late Sir J. B. Robinson, Judge Maclean, Sir J. B. Macaulay, Sir Allan MacNab, Judge Jones, Mr. Stanton, the Bethunes, (Alexander, John and Donald), Sir James Stuart and his brother Andrew Stuart, besides many others who have reflected credit on our country.

The Bishop had a great faculty for not only attaching his scholars to him, but also for inducing them to apply themselves most assiduously to their studies. He told me that he made it a rule during the time he kept school to watch closely every new boy, and, at the end of a fortnight, to note down in a book his estimate of the boys who had passed through his hands.

He was never afraid of having his dignity lowered by liberties taken with him; and he always felt every confidence in his position and entered warmly and personally into many of the boys' amusements and thus gained an immense influence over them. This influence over his pupils has been shown in the fact that almost all of them embraced his principles; and the love and

affection for him and of his celebrated Cornwall School was shown many years ago when the surviving members thereof presented him with an address\* and a most beautiful and costly candelabra. Nor did his more recent scholars entertain less affection for him, though they never proved it so substantially as did those of his Cornwall School. . . . He was an excellent teacher. His scholars were well grounded in their work. The grammar was well mastered and every rule thereof deeply impressed on the memory. Every lesson was thoroughly dissected and every thing connected with it thoroughly understood before we passed on to another lesson.

### REV. DR. STRACHAN'S SYSTEM OF SCHOOL MANAGEMENT.

The Rev. Dr. Scadding, in his sketch of Dr. Strachan: *The First Bishop of Toronto—A Review and a Study*, says:

The system pursued in Dr. Strachan's school at Cornwall and afterwards at York exhibited features that would have gratified the advanced educationists of the present age. In that system the practical and the useful were by no means sacrificed to the ornamental and theoretical, or the merely conventional. Things were regarded as well as words. . . . In regard to things—the science of common objects—we doubt if in the most complete of our modern schools there was ever awakened a greater interest or intelligence in relation to such matters. Who, that had once participated in the excitement of its natural history class, ever forgot it? Or in that of the historical or geographical exercises? We venture to think that, in many an instance, the fullest experience of after life, in travel or otherwise, had often their associations with ideas awakened then; and often compared satisfactorily and pleasantly with the pictures of places, animals and persons given, rudely it may be, in text books ransacked and coned in a fervor of emulation then. The manner of study in these subjects was this: each lad was required to prepare a set of questions to be put by himself to his fellows in the class. If a reply was not forthcoming, and the information furnished by the questioner was judged correct, the latter "went up" and took the place of the other. This process, besides being instructive and stimulating to the pupils, possessed the advantage of being, as it often proved, highly diverting to the teacher.

The late Bishop Fuller, who was one of Dr. Strachan's pupils, also states that:

He had a remarkable talent for interesting boys in their work; and, by taking a deep interest in it himself, he led them to do the same. He was very original in many of his plans for promoting the good of his school. Amongst others, which I never met with elsewhere, was one of making the boys question one another on certain of the lessons. This made the boys quick at seizing on the leading points in the lessons, ready at shaping questions, and deeply interested in the questions and answers. The Bishop took as deep an interest in the questioning and answering of the boys as they did themselves; and thus this plan, whilst it was of great service to the boys in various ways, tended strongly to bind master and scholars together.†

On this system Dr. Strachan himself remarks:

The method of instruction by question and answer possesses many advantages over any other, and is not only the very best and shortest but the most satisfactory. In this system the deficiencies of each scholar soon becomes manifest, and the teacher knows to what particular points he must direct his explanations. There is no time for inattention or wandering; the question and necessity for reply compel attention and recollection. The children, if the teacher proceed with a conciliatory firmness, acquire a lively interest in the lesson, for each is particularly addressed and brought forward with action.‡

\* The principal signers of the address were Sir J. B. Robinson, Sir J. B. Macaulay, Very Rev. Dean Bethune, Right Rev. Bishop Bethune, Hon. Chief Justice McLean, Hon. Justice Jones, Hon. W. B. Robinson, Hon. G. S. Boulton, Rev. W. Macaulay, Judge (George) Ridout, Surveyor-General Chewett, Colonel Gregg, Captain Macaulay, R. A., Inspector-General Markland, Sheriff McLean, Messrs. T. G. Ridout, P. Vankoughnet, S. P. Jarvis, J. Radenhurst, R. G. Anderson, R. Stanton and others.

† Sermon on the Death of Bishop Strachan, *Journal of Education for U. C.*, vol. xx. (1867), page 183.

‡ The *Christian Recorder*, edited by Rev. Dr. Strachan, Kingston and York, 1819, vol. 1, page 182.



### THE REV. DR. STRACHAN'S METHOD OF TEACHING.

The following extracts are taken from the preface of a rare book on arithmetic, by the late Bishop Strachan, published at Montreal in 1809. These extracts are highly characteristic of the man, and contain in a few words the *rationale*, as well as the secret of the Bishop's wonderful success as a teacher. They are, therefore, inserted here for the information of those who would like to know and to study the methods of one of the most noted Canadian teachers of his day. They are the more valuable from the fact that they are not the opinions, or impressions, of those who had personal knowledge and experience of Dr. Strachan's method, but they are the very words of this remarkably successful teacher himself, written after several years' experience of the art of teaching,—now, nearly ninety years ago. He said:

On my arrival at Kingston, about ten years ago, to superintend the education of a select number of pupils, I experienced much inconvenience from the want of school books. To supply this defect, I was under the necessity of compiling several treatises on different subjects, and among the rest one on Arithmetic, which I am now induced to publish for the greater convenience of my school.

The great advantages of well digested text books, both to master and scholar, are too evident to require proofs. In revising this little work for the press, I have endeavored to make the rules and definitions as simple as possible, consistent with perspicuity, a quality which must never be lost sight of in any work, particularly those of an elementary kind. I am sufficiently aware that little reputation can be acquired by the publication of a school book on a subject already more perfect than any of the other sciences, and which has been so well treated by abler hands. But my desire to be useful to my pupils induced me to undertake the work, which, I thought, might, without any great exertion of intellect, though not without much labor, be made more useful for this country than any other publication on the subject.

### ORDER AND MODE OF TEACHING STATED.

There is a difference of opinion among teachers as to the order of teaching the primary rules, some giving the simple and then returning to the compound, others teaching both at once. I have been in the habit of giving all the simple rules to the young pupils before they proceeded to the compound, but to young men of discernment I have seldom found it necessary, as they commonly understood the compound with as much facility as the simple. But if the pupils are carried through all the primary rules before they begin to write them down in their books, it becomes a matter of indifference which arrangement be chosen. It should, however, be laid down as a principle that no boy can do anything right the first time, but that he must learn by the help of his teachers, so as to be able to do it himself ever after. The strict observance of this rule will render any arrangement easy, and facilitate the study, not only of arithmetic, but of any other subject. Multiplication is applied to the measuring of timber in all the varieties, because many who require this knowledge are not able to remain long enough at school to reach duodecimals, which are generally taught at the end of arithmetic. Of this I have had frequent experience. For the same reason an account of household expense is introduced in subtraction; and in division, book debts, forms of bills and receipts. In proportion the common distinction of direct and inverse has been rejected, and a rule given that comprehends both. The same rule, extended in its operation, serves for double proportion and is very easily understood by boys who are too young to comprehend any explanation of antecedents and consequents. In practice a case of feet and inches is introduced, which will frequently be found more convenient than cross-multiplication. Care has been taken in vulgar fractions to make the rules easy of comprehension and to take away that seeming abstruseness so frequently complained of. In the arrangement of decimal fractions, as well as in the simplicity of the rules, something, it is hoped, will be found worthy of approbation. Simple interest comprehends several rules, which differ in name rather than in principle. Some tables are introduced of great use in practice, and several things entirely new. In compound interest and annuities the several cases are rendered easy, and although it was necessary to contract this part of the treatise as much as possible, everything of real use is retained.



Some things introduced in other books have been rejected in this. For example, though multiplying by the component parts of a composite number be recommended, yet dividing by component parts is rejected, because it is difficult to ascertain the value of the remainder, if there be any, until the pupil has learned fractions. It did not seem necessary to give reduction as a separate rule, as it is only the application of multiplication and division. Several rules are not separately treated, because they are comprehended in proportion.

Never forgetting that it was my duty to make a useful book rather than an ingenious one. . . . I have transcribed several questions that convey useful knowledge, at the same time that they improve the pupils in arithmetic. The reader, however, will discover that the questions are chiefly new, and such as will frequently occur in business. Not that I attach any merit to the composition of such questions, for I frequently write them out as they are wanted, and this every person ought to be able to do who teaches arithmetic, or, at least, he should have a great collection that he may give his pupils a sufficient variety to prevent copying. . . . The problems concerning the Gregorian Calendar belong to a very short system of chronology used in the school, and they are added here for convenience. They may, perhaps, be found useful to others, for although the calculations in the nautical almanac are much more correct, these problems will be found sufficiently so for common use. . . . Upon the whole, it is hoped that this treatise will answer the purpose of a text book in this country better than any publication on the subject.

As to his method of teaching arithmetic, Dr. Strachan thus explained it :

In a new country like this a variety of branches must be taught in every respectable school. Young men . . . are anxious to get forward as fast as possible, and even those destined for the learned professions are seldom allowed the time requisite for acquiring the knowledge previously necessary. These considerations induced me to turn my thoughts to the discovery of some sure and at the same time expeditious method of teaching arithmetic. This object I have accomplished with a much greater degree of success than I dared to promise myself.

I divided my pupils into separate classes according to their progress. Each class has one or more sums to produce every day, neatly wrought upon their slates. The work is carefully examined, after which I command every figure to be blotted out, and the sums to be wrought under my eye. The one whom I happen to pitch upon first gives with an audible voice the rules and reasons for every step, and as he proceeds the rest silently work along with him figure for figure, but ready to correct him if he blunder that they may get his place. As soon as this one is finished, the work is again blotted out and another called upon to work the question aloud as before, while the rest proceed along with him in silence, and so on round the whole class. . . .

This method of teaching arithmetic possesses this important advantage, that it may be pursued without interrupting the pupil's progress in any other useful study. The same method of teaching Algebra has been used with equal success. Such a plan is certainly very laborious, but it will be found successful, and he that is anxious to spare labor ought not to be a public teacher.\*

Among the exercises in his book, Dr. Strachan gave several examples from Canadian subjects. Thus a question in addition reads :

From Quebec to Montreal is 180 miles—from thence to Kingston 200—from thence to York 149—from thence to Niagara 78 miles—from thence to Detroit 210. Required the distance from Quebec to Detroit. *Answer*—~~3~~17 miles.

Again a question in multiplication reads :

The distance from Quebec to Montreal is 180 miles, supposing the road 17 yards broad, how many square yards does it contain ? *Answer*—5,385,600 yards.

As to his diligence as a student, while yet a teacher, Dr. Fuller remarks :

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\* Preface to "A Concise Introduction to Practical Arithmetic, for the use of Schools; By the Rev. John Strachan. Printed by Nahum Mower, Montreal, 1809."

The late Bishop said to me on one occasion : " I had to study every night quite as hard as the boys ; for I was not much in advance of the highest class in school. These and parochial duties demanded sixteen hours every day,—and yet these nine years were the happiest years of my life."\*

### THE REV. DR. GEORGE OKILL STUART, TEACHER AT YORK.

Knowing, from conversation with Mr. J. Ross Robertson, of the *Toronto Telegram*, that he had collected a good deal of information in regard the School which was established in Toronto, by the Rev. George Okill Stuart, in 1807, I asked him to allow me to see what he had collected. He kindly placed at my disposal a chapter of the proposed " Memorial Volume of Upper Canada College," relating to the Rev. G. Okill Stuart's School. From it I make the following extracts :

In the summer of 1803, the residents of York first saw the benevolent-looking face and stately figure of the Rev. Dr. George Okill Stuart, the first Rector of the Anglican congregation which worshipped in the Cathedral of St. James, and who, at the same time was the founder of the first Public School in York so well-known to the succeeding generations as the " Home District School." The plot of ground on the south-east corner of King and George streets, the rector held in fee simple, and, with a view of living near his charge, he erected a substantial frame house, with bowed windows looking out on King street, the entrance being on George street. The external part of this structure was painted a light brown color, with green venetian blinds, as a protection to the smaller windows. This was the home of the Rector. At the eastern side or end of the house, and attached to it, he erected a small one-storey stone building. . . . When this structure was first reared the stone was visibly rough as when first extracted from its native quarry, but, . . . a sheeting of half-inch boards covered the quarried boulders which composed the walls.

In this primitive school-house the first public school of York was established, and on the roll of pupils one may read the names of boys who became rich and celebrated men, and of girls who blossomed into belles of the growing capital. The school-room was about fifty feet in length and fully twenty-five in width. The classes opened on the 1st June, 1807. Here we find that the townspeople of York sent their children, indeed a reading of the names gives us almost a directory of the inhabitants of the first settlement. A score or two of those entered on the first rolls should be mentioned : William Pilkington, Thomas Playter, James Givins, Benjamin Anderson, Robert Anderson, Harvey Woodruff, William Smith, William Cawthra, Robert Gray, John Gray, Henry Ernst, Gilbert Hamilton, William Robinson, Charles Reade, Daniel Brooke, Richard Brooke, Bernard Marshall and Henry Glennon, James McIntosh, Philemon Squires, Peter McDonnell, William Bowkett, George and William Jarvis, John Hayes, Charles Small, James Edward Small, Dona'd McDonnell, Alexander Chewett, Charles Boulton, Edward Hartney, Charles Ruggles, John Moore, Allan McNab, Robert Ross, Wilson Hamilton, Alexander Hamilton, Angus McDonnell, William Stanton, Robert Stanton, George S. Boulton, George H. Detlor, Thomas G. Hamilton, William A. Hamilton, John Ridout ; also Young Belcour, Hammeil and Marian.

The labors of the Rev. Dr. George Okill Stuart were continued for many years with great success, until, in 1812-13, he resigned his charge, sold his property to Col. George Duggan, and became Rector of Kingston, and Archdeacon. †He was succeeded by Dr. Strachan, both as Rector of York, and Master of the School. Having presided with energy over the Cornwall Grammar Schools, Dr. Strachan gave renewed life to educational matters in York, by a re-organization, on a broader basis, of the system of training which had been so happily introduced by the Rev. Dr. G. Okill Stuart. (Pages 178-9.)

\*The Rev. Dr. Scadding, in the *Toronto of Old*, gives a number of additional most interesting particulars of Dr. Strachan, and of his Schools at Cornwall and Toronto, to which the reader is referred. In the chancel of St. James' Cathedral, Toronto, is a bust in marble of the Venerable Prelate. Underneath it is the following tribute to his memory :

"Near this spot rest the mortal of John Strachan, first Bishop of Toronto, who departed this life, November the first, 1867, in the ninetieth year of his age, and the twenty-ninth of his episcopate. His conspicuous labors, foresight and constancy in the service of the Church, and commonwealth, as an Educator, as a Minister of Religion, as a Statesman, form an important portion of the history of Western Canada. During thirty-five years he was Rector of this Church and Parish. In remembrance of him, the congregation have beautified the Chancel and erected this Memorial, Easter, 1870."

†A portrait of Rev. Dr. G. Okill Stuart, as Rector of York, hangs up in the Vestry of St. James' Cathedral, Toronto.

Speaking of this School and its situation, the Rev. Dr. Scadding, in his *Toronto of Old*, says :

At the intersection of King and George streets, our eye lights on an object connected with the early History of Education in York.

Attached to the east side of the house . . . is a low building, wholly of stone. . . Its structure is concealed from view now by a coating of clapboards. This was the first school-house possessing a public character in York. It was where Dr. Stuart taught . . . and it was the Home District School. From a contemporary record . . . we learned that it opened on June the first, 1807. . . From the same record it appears that female pupils were not excluded from the primitive Home District School. On the roll are names which surviving contemporaries would recognize as belonging to the *beau monde* of Upper Canada, distinguished and admired in later years. (Page 184.)

#### DR. WILLIAM WARREN BALDWIN, OF SPADINA.

The record of the pioneer teachers of Upper Canada would scarcely be complete without a reference to Dr. W. W. Baldwin, of Spadina, who was more noted as a successful lawyer and a physician than as a volunteer instructor of youth. The Rev. Dr. Scadding, in his *Toronto of Old*, says of him :

On the arrival at York, from the first Canadian home of his father, on Baldwin's Creek, in the Township of Clarke, Dr. Baldwin's purpose was to turn to account for a time his own educational acquirements, by undertaking the office of a teacher of youth. In several successive numbers of the *York Gazette and American Oracle* of 1802-3, we read the following advertisement.

[This advertisement will be found on page 33 of this volume.] Of the results of this enterprise, we have not on hand any record. (Page 348.) . . . In 1806, Dr. Baldwin was appointed Master-in-Chancery. At the time of the capture of York in 1813. . . the magazine at the garrison blew up . . . at which time Dr. Baldwin was dressing a soldier's wounds, and he found a shower of stones falling all around him, but he was quite unhurt. . . All now returned to their homes and occupation, except Dr. Baldwin, who continued dressing wounds and acting as Surgeon, until the arrival of Dr. Hackett, the Surgeon of the 8th Regiment. . . General Sheaffe had gone to the front . . . taking every surgeon with him. On this account Dr. Baldwin was forced out of humanity, to work at his old profession again, and take care of the wounded. (Page 433-435.)

Dr. W. W. Baldwin, who was appointed Master-in-Chancery in 1806, and to the Legislative Council in 1843, was the son of Mr. Robert Baldwin, of Knockmole, in the County of Cork, who came to Canada in 1798, and settled in the Township of Clarke, County of Durham. He died on the 8th of January, 1844. The Hon. Robert Baldwin, C.B., his distinguished son, died on the 9th of December, 1858, at the comparatively early age of 54 years.

### CHAPTER XIV.

#### EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE, 1804.

The fourth Session of the third Parliament of Upper Canada commenced at York on the first day of February, 1804. His Excellency Peter Hunter, Lieutenant-Governor. No reference to Education or to Schools was made in the Speech from the Throne.



## MEMBERS WHO TOOK PART IN THE SCHOOL LEGISLATION OF 1804.

Mr. ALEXANDER McDONELL, served with Simcoe in the Revolutionary War. He was elected member for the Counties of Glengarry and Prescott in 1801, 1809, 1813, and for the County of Glengarry in 1820, 1825 and 1836. He was the first Sheriff of the Home District, and was afterwards, (1805,) Speaker of the House of Assembly. In 1831 he was called to the Legislative Council. He died in 1842.

Mr. JOHN FERGUSON was elected member for the County of Frontenac in 1801. He served eleven years as Barrack-Master and nine years as Commissary, as well as six years in the Commissary-General's office in Montreal.

Mr. ANGUS McDONELL was elected to represent the Counties of East York, Durham and Simcoe in 1801 and 1804. He, with Judge Cochrane, Solicitor-General Gray and thirty-six other persons, perished in the schooner *Speedy* in 1805, while on their way to the Assizes at Presqu Isle, near Brighton.

Mr. JACOB WEAGER was elected to represent the County of Dundas in 1801.

Mr. EBENEZER WASHBURN was also elected member for the County of Prince Edward in 1801 and 1805. His relative, Mr. Simon Washburn, was a noted lawyer, who lived at York in these early days.

## 1. PROCEEDINGS OF THE HOUSE OF ASSEMBLY, 1804.

*On the 14th February, 1804,* agreeable to leave given, Mr. Sheriff McDonell brought up the petition of the sundry inhabitants of the County of Glengarry, which was ordered to lie on the table.

*16th February, 1804.*—Then was read the petition of divers Magistrates and others, inhabitants of the County of Glengarry, which is as follows :—

To His Excellency Peter Hunter, Esquire, Lieutenant-Governor of His Majesty's Province of Upper Canada, and Lieutenant-General Commanding His Majesty's Forces in Upper and Lower Canada, etc.

To the Honourable the Legislative Council and the Honourable the Members of the Common House of Assembly of the said Province, in Parliament assembled,

The petition of the undersigned Magistrates and others of the County of Glengarry, Eastern District, Humbly Sheweth :—

That amidst the many blessings your petitioners enjoy under the Constitution and Government of this Province, and notwithstanding the wise exertions of the Legislature to promote public prosperity, they still contemplate anxiety, the ill consequences that may result from the want of schools, both to the present generation and to posterity.

That, though the scarcity of these useful institutions may be ascribed, in some degree, to the infant state of the Province in general, and to the want of adequate means to give them weight and perpetuity, yet peculiar circumstances aggravate these unavoidable misfortunes, in this part of the Province in particular:

The Highlanders, who form the great majority of inhabitants in this County, and who are, in general, a moral and religious people, are yet extremely backward in promoting any public institutions of learning.

In their native country they were accustomed to hear the beauties of Christianity inculcated in their mother tongue, whence many of them supposed that an English education was unnecessary, and what each individual was made to contribute by public authority towards the support of a school, was so very light and so imperceptibly collected with the annual rents, that the mass of the people actually forgot that they bore any part of the burden.

These circumstances, together with the numerous charity schools established in different parts of the Highlands of Scotland, which cost nothing to the inhabitants, have impressed the natives of the country with habits of thinking unfavorable to public institutions; and the few

schools found among them here, (by the painful exertions of certain individuals), are so discouraging and unprofitable to public instructors that, consequently, they are fluctuating and of little value.

Your petitioners, therefore, submit it to your consideration, whether the erection of Schools by public authority, in the most central places in the country, under such regulations as may, to your wisdom, seem meet, and with such provisions as circumstances may afford, would not be a measure of great utility, both in a political and moral view, to the rising generation, and would not speedily counterbalance the effect of an improper bias, contracted by the people, who in other respects are a reasonable and valuable description of men.

And, as in duty bound, your petitioners shall ever pray, etc. (Signed) J. McDonell, J.P., Alex. McMillan, J.P., Alex. McDonell, J.P., Allan McDonell, J.P., Walter Sutherland, J.P.; John Bethune, Minister; Hugh McDonell, John McIntyre, Duncan McKenzie, Duncan McIntyre, Duncan Murchison, Elders.

Mr. Sheriff McDonell, seconded by Mr. John Ferguson, moved for leave to bring in a Bill on Monday next to make provision for the establishment of Grammar Schools in each and every District within this Province.

A division took place, the names were taken down, and were as follows :

YEAS.—Messrs. John Ferguson, (County of Frontenac), Angus McDonell, (County of York, etc.), Ebenezer Washburn, (County of Prince Edward), Thomas McCrae, (County of Kent), Sheriff McDonell, County of Glengarry, etc.)—5

NAYS.—Messrs. Mathew Elliott, (County of Essex), Samuel Sherwood, (County of Grenville), Ralph Clench, (County of Lincoln, etc.), Isaac Swayze, (County of Lincoln, etc.), David M. Rogers, (County of Northumberland, etc.), Jacob Weager, (County of Dundas), Robert Nelles, (County of Lincoln, etc.)—7.

The same passed in the negative by a majority of two.

Mr. Angus McDonell, of York, then moved, seconded by Mr. John Ferguson, for leave to bring in a Bill to provide for Public Grammar Schools in certain parts of this Province.

A division having taken place, the names were taken down, and were as follows :

YEAS.—Messrs. Ferguson, McDonell, (York). Sheriff McDonell, Washburn, McRae.—5.

NAYS.—Messrs. Elliott, Sherwood, Clench, Swayze, Rogers, Weager, Nelles.—7.

And the same was also negatived by a majority of two.

16th February 1804.—Mr. Ebenezer Washburn moved, seconded by Mr. John Ferguson, for leave to bring in a Bill to provide for District Schools within this Province out of any fund remaining unappropriated in the Provincial Treasury. The House being divided, the Honourable Samuel Street, Speaker, gave his vote for not bringing in the Bill, so it also passed in the negative.

17th February, 1804.—Mr. Ebenezer Washburn, seconded by Mr. Jacob Weager, moved for leave to bring in, on Monday next, a Bill to establish a Fund for the support of Public Grammar Schools in this Province. Leave was granted him to bring in the same.

20th February, 1804.—Mr. Washburn moved, seconded by Mr. Ferguson, that so much of the Order of the Day as relates to leave given him to bring in a Bill to establish a Fund for the support of District Schools within this Province, be discharged, and that he may be allowed to substitute an address in lieu thereof. Leave was accordingly granted.

The address, proposed in the foregoing resolution, to be substituted for the School Fund Bill by Mr. Ebenezer Washburn, was not brought before the House of Assembly by him during the Session—he shortly afterwards having obtained leave to return home. In the following Session, however, and in that of 1807, he introduced a Bill to establish a School Fund. But he did not proceed by address, as he had proposed to do in 1804.

No educational legislation took place in the Legislative Council during 1804.

## CHAPTER XV.

### EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1805.

The first Session of the fourth Parliament of Upper Canada commenced on the first day of February, 1805. His Excellency, Peter Hunter, Esquire, Lieu-  
4 (D.E.)

tenant-Governor opened the proceedings with the usual Speech from the Throne. In it he made no reference to either Education or Schools.

#### MEMBERS WHO TOOK PART IN SCHOOL LEGISLATION IN 1805.

Mr. ALLAN McLEAN was first elected to the Legislature of Upper Canada for the County of Frontenac, in 1804; again in 1809, 1813, 1817 and 1820. He was chosen Speaker of the House of Assembly after his election in 1813.

Mr. SAMUEL SHERWOOD was elected member for the County of Grenville in 1801 and 1805. In 1818, when the trials took place at York, of those concerned in the Red River trouble and murder of Governor Robert Semple on June 18th, 1816, Mr. Samuel Sherwood was one of the counsel for the prisoners.

Mr. PETER HOWARD was elected for the County of Leeds in 1805, 1809 and 1817.

Mr. RALPH CLENCH was one of the members of the County of Lincoln and was elected in 1801, 1805 and 1813. He and his colleagues from the County of Lincoln (Messrs. Isaac Swayze and Robert Nelles) attended as pall-bearers, on behalf of the House of Assembly, the funeral of Mr. William Weekes, who was killed in a duel with the Hon. William Dickson, of Niagara, in 1806. While a member of the House Mr. Clench was taken prisoner by the Americans in the War of 1812-1815.

Mr. BENAJAH MALLORY represented the Counties of Norfolk, Oxford, and Middlesex and was elected in 1805 and 1809. Sir Gordon Drummond, President of Upper Canada in 1814, in his speech to the Legislature in that year, refers to him and Mr. Joseph Willcocks as follows:

It has been more a subject of regret than surprise to have found two members of the Legislative Body in the ranks of the enemy.

Mrs. Edgar, in her *Ten Years of Upper Canada* . . . 1805-1815, thus explains this reference to these Members in the President's speech:

The two members of the Legislature named in the last paragraph [of the speech] as traitors were Joseph Willcocks and Benj. Mallory, and American by birth and sympathy. These men raised what they were pleased to call a Canadian Regiment, which fought on the Yankee side, but it is certain that no native Canadians were within its ranks. (Page 267-268.)

#### 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1805.

The only two subjects of an educational nature which were brought before the House of Assembly during this session of 1805, were in regard to the formation of a fund for Grammar Schools, and the purchase of philosophical apparatus; —the former by Mr. Ebenezer Washburn and Mr. Peter Howard, and the latter by Mr. Allan McLean and Mr. Samuel Sherwood. Neither Bills were passed. The adoption of the report of the Committee on the School Fund Bill having been refused by the House, it failed to pass. The latter Bill was not pressed to a second reading by its promoters.



On the 18th February, 1805, there was read for the first time a Bill for appropriating a certain sum of money for the purchase of a Philosophical Apparatus for the use of this Province.

Mr. Allan McLean then moved, seconded by Mr. Samuel Sherwood, that this Bill be read a second time on Wednesday next, which was ordered accordingly.

*19th February, 1805.*—Mr. Ebenezer Washburn, seconded by Mr. Peter Howard, moved for leave to bring in a Bill on Friday next to establish a fund for the support of one or more Public Schools in each and every District within the Province. Leave was accordingly given.

*20th February, 1805.*—Mr. Allan McLean moved, seconded by Mr. Washburn, that so much of the Order of the Day be discharged as relates to the second reading of the Bill entitled "An Act to Purchase Philosophical Apparatus," and that the same be read on Monday next. Ordered accordingly.

*25th February, 1805.*—Read for the first time, a Bill for establishing schools in the different Districts in this Province. Mr. Ebenezer Washburn then moved, seconded by Mr. Ralph Clench, that the said Bill be read a second time to-morrow. Ordered accordingly.

*26th February, 1805.*—On motion of Mr. Ebenezer Washburn, seconded by Mr. Ralph Clench, the House resolved itself into Committee to go into the consideration of the Bill for establishing schools in the different Districts throughout this Province.

The Honourable Alexander McDonell, Speaker, having left the Chair, Mr. Washburn was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, and Mr. Washburn reported that the Committee had made a progress and directed him to ask leave to sit again to-morrow, leave was accordingly granted.

*27th February, 1805.*—Mr. Washburn moved, seconded by Mr. Benajah Mallory, that the House do now resolve itself into Committee to go into the consideration of the Bill for establishing schools in the different Districts. The House accordingly resolved itself into Committee to go into the further consideration of the said Bill.

Mr. Speaker having left the Chair, Mr. W. B. Wilkinson was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Wilkinson reported that the Committee had made some progress in the Bill, and desired him to ask for leave to sit again. On the question being put for leave to sit again, it passed in the negative.

Thus the House of Assembly, by their vote, decided not to entertain the subject again that Session.

The Bill also which provided for the purchase of philosophical apparatus was not again brought up during the Session by its promoters, Messrs. Allan McLean and Samuel Sherwood.

There is no record of any educational proceedings on the part of the Legislative Council in its Journals of 1805.

## CHAPTER XVI.

### EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1806.

The second Session of the fourth Parliament of Upper Canada commenced on the 4th day of February, 1806. His Honour Alexander Grant, Esquire, President and Administrator of the Government, delivered the usual Speech from the Throne on the occasion. He made no reference in it to either education or schools.\*

\* On the death of His Excellency, Lieutenant-Governor Hunter, in September, 1805, the Honourable Alexander Grant, as senior Legislative Councillor, became President of Upper Canada and Administrator of the Government. Mr. Grant was from the County of Essex.

## MEMBERS WHO TOOK PART IN SCHOOL LEGISLATION IN 1806.

In addition to the members named in connection with the legislation of 1805, the following may be mentioned :—

Mr. WILLIAM WEEKES was elected Member for Simcoe, Durham and the Second Riding of York, in 1805, as successor of Mr. Angus McDonell, Sheriff of York, and one of his opponents at the election of 1804, who was drowned on his way to attend a trial at Presqu Isle, in October, 1805. The Lieutenant-Governor (Hunter) had required Mr. Justice Cochran, Solicitor-General Gray, Mr. A. McDonell (the Sheriff), Mr. Fisher (High Bailiff), and others, to proceed there in the Government schooner *Speedy*, to hold the trial. The schooner foundered on its way down the lake, and all on board (29) perished. Mr. Weekes escaped, having gone to Presqu Isle on horseback. In the following year (1806) Mr. Weekes unfortunately lost his life in a duel fought with the Honourable William Dickson, of Niagara, near Fort Niagara, on the United States side of the river, on the 10th of October, 1806. Dr. Scadding says of him :—

His death was greatly regretted by his constituents. The *Upper Canada Gazette and American Oracle*, a local newspaper, spoke of him as follows :—“ In him the orphan has lost a father, the widow a friend, the injured a protector, society a pleasing and safe companion and the Bar one of its ablest advocates.” (Rev. Dr. Scadding's *Toronto of Old*, pages 254-5.)

Captain DAVID COWAN was elected to represent the County of Essex in 1805.

Mr. DAVID MCGREGOR ROGERS was one of the oldest members of the House of Assembly. He was first elected in 1796, for the County of Prince Edward, during his absence, and again in 1801, for the same county, and in 1805, 1809, 1813 and 1820, for the Counties of Northumberland and Hastings. In 1816 he declined election, as his war claims on the Government were then unsettled. In Mrs. Edgar's *Ten Years of Upper Canada, 1805-1815*, he is thus spoken of :—

Mr. D. McGregor Rogers . . . was on the people's side, as opposed to the Government ; but, being more moderate in expressing his views, he did not get into such trouble as his friends, Judge Thorpe and Joseph Willcocks. (Page 32.)

Mr. ROBERT NELLES was elected as joint representative of the Counties of York, Lincoln and Haldimand, in 1801, 1805 and 1813. In 1817 he represented the First Riding of Lincoln. He was one of the Parliamentary pall bearers at the funeral of Mr. Weekes.

## 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1806.

Mr. William Weekes, at an early period of the Session, moved the House into a Committee of the Whole on the state of the Province, with a view to bring the subject of education before the Assembly. The proceedings are as follows :—

On 12th of February, 1806, the House resolved itself into Committee to go into the further consideration of the state of the Province. Among other resolutions proposed by Mr. Weekes was the following :—

*Resolved*, that it is the opinion of this Committee that seminaries for the education of youth are highly necessary in this Province. The resolutions were adopted.

*18th February, 1806.*—Mr. Samuel Sherwood moved, seconded by Capt. David Cowan, for leave to bring in a Bill to appropriate a sum of money for the purchase of certain apparatus for the promotion of science. Leave was accordingly granted.

*19th February, 1806.*—Read for the first time, a Bill to appropriate a certain sum of money for the purchase of an apparatus to promote science. Mr. Samuel Sherwood then moved, seconded by Capt. Mathew Elliott, for the second reading of the Bill for the purchase of apparatus for promoting science on Friday next. Ordered accordingly.

*21st February, 1806.*—Agreeable to the Order of the Day, was read for the second time a Bill to appropriate a certain sum for the purchase of apparatus to promote science. Mr. Sherwood moved, seconded by Captain Cowan, that the House do now resolve itself into Committee to take the said Bill into consideration.

The House accordingly resolved itself into Committee to go into consideration of the said Bill.

The Hon. Alexander McDonell, Speaker, having left the Chair, Mr. Clench was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, and Mr. Ralph Clench reported that the Committee had gone through the consideration of the said Bill, to which they had made some amendments, which he was directed to report to the House whenever it shall be pleased to receive the same. The House then resolved that the said Report be now received and accepted. On motion of Mr. Clench seconded by Capt. Cowan, it was Ordered, That the said Bill be engrossed and read a third time to-morrow.

*22nd February, 1806.*—There was read for the third time the engrossed Act for the purchase of apparatus for promoting Science.

Mr. Sherwood then moved, seconded by Mr. Clench, that the Bill do pass and that the title be "An Act to Purchase certain Apparatus for promoting Science." A division thereupon took place; the names being called for, they were taken down, and are as follows:

YEAS.—The Solicitor-General and Messieurs Allan McLean, David Cowan, William Weekes, Mathew Elliott, Ebenezer Washburn, John Crysler, and Ralph Clench.

NAYS.—Messieurs Peter Howard, David McG. Rogers, Solomon Hill, Thomas Dorland, and Robert Nelles.

Carried in the affirmative by a majority of three; the Bill then passed and was signed by Mr. Speaker.

Mr. Ebenezer Washburn moved, seconded by Mr. John Crysler, that Mr. Ralph Clench and Captain David Cowan be a Committee to carry up to the Legislative Council the said Bill, and to request their concurrence thereto. Ordered accordingly.

*24th February, 1806.*—Mr. David McG. Rogers moved, seconded by Mr. Robert Nelles, that the Order of the House which gives Mr. William Weekes leave to bring in a Bill, on to-morrow, to provide for Schools in this Province, be discharged, and that leave be given to him to bring the said Bill this day. Ordered accordingly.

And the said Bill was read by the Clerk at the Table for the first time.

Mr. Rogers then moved, seconded by Mr. Nelles, that the Bill to provide for Schools in this Province be read a second time to-morrow. It was accordingly ordered.

*25th February, 1806.*—Read for the second time the Bill for providing Public Schools in the different Districts in this Province. On motion of Mr. Weekes, seconded by Mr. Sherwood, the House resolved itself into Committee to go into consideration of the said Bill.

Mr. Speaker having left the Chair, and Mr. McLean was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. McLean reported that the Committee had made a progress, and that he was directed to ask leave for it to sit again to-morrow. Leave was accordingly granted.

*26th February, 1806.*—Agreeable to the Order of the Day, the House resolved itself into Committee to go into the consideration of the Bill for establishing Schools in the different Districts of this Province.

Mr. Speaker having left the Chair, Mr. McLean was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, and Mr. McLean reported that the Committee had made a progress and directed him to ask for leave to sit again to-morrow. Leave was accordingly granted.

*27th February, 1806.*—Agreeably to the Order of the Day, the House resolved itself into a Committee of the Whole to go into the consideration of the Bill for establishing Public Schools in the different Districts in this Province.

Mr. Speaker having left the Chair, Mr. McLean was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. McLean reported progress and asked for leave to sit again this day. Leave was accordingly granted.



The House again resolved itself into a Committee of the Whole to go into the further consideration of the Bill for establishing Public Schools in the different Districts in this Province.

Mr. Speaker having left the Chair, Mr. McLean again took the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. McLean reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House, whenever it shall be pleased to receive the same. Mr. Clench then moved, seconded by Captain Elliott, that the Report be not received. A division thereupon took place, the names being called for, they were taken down, and are as follows :

YEAS —Messieurs Clench and Elliott.—2.

NAYS.—The Solicitor-General and Messieurs Nelles, Cowan, Sherwood, Mallory, Weekes, Rogers, Dorland, Washburn, Hill, Howard and McLean.—12.

The same was carried in the negative by a majority of ten. The Report was then received and accepted.

Mr. Weekes then moved, seconded by Mr. Howard, that the said Bill be engrossed and read a third time to-morrow. Which was ordered accordingly.

Mr. Sherwood moved, seconded by the Solicitor-General, for leave to bring in a Bill, this day, to Procure certain Apparatus for Promoting Science. Leave was accordingly granted. The said Bill was then read for the first time. On motion of Mr. Clench, seconded by Mr. Rogers, the said Bill was read for the second time. On motion of Mr. Sherwood, seconded by the Solicitor-General, the House resolved itself into Committee to go into the consideration of the said Bill.

Mr. Speaker having left the Chair, Mr. Mallory was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Mallory reported that the Committee had gone through the consideration of the said Bill without any amendment. On motion of Mr. Clench, seconded by Captain Cowan, the said Bill was ordered to be engrossed and read a third time this day. The said Bill, as engrossed, was then read for the third time. Mr. Sherwood then moved, seconded by the Solicitor-General, that the said Bill do pass, and that the title be, "An Act to Procure certain Apparatus for the Promotion of Science." The Bill then passed, and was signed by the Speaker.

Mr. Rogers then moved, seconded by Mr. Mallory, that Mr. Sherwood and Captain Cowan do carry up to the Honourable Legislative Council the Bill for purchasing certain apparatus for promoting science, and to request their concurrence in passing the same.

28th February, 1806.—Read for the third time as engrossed, the Bill for establishing Schools in the different Districts throughout this Province. Mr. Washburn then moved, seconded by Mr. Clench, that the said Bill be now recommitted, which passed in the negative. Mr. Weekes moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be "An Act for the more General Dissemination of Learning throughout the Province." The Bill then passed, and was signed by the Speaker.

A Message was received from the Legislative Council, by Mr. W. W. Baldwin, Master-in-Chancery, was read as follows :—

MR. SPEAKER :

The Honourable the Legislative Council have passed, without any amendments, the Bill entitled "An Act to Procure certain Apparatus for the Promotion of Science," sent up from Your Honourable House.

LEGISLATIVE COUNCIL CHAMBER,  
February 26th, 1806.

RICHARD CARTWRIGHT,  
Speaker.

Then Mr. Sherwood, one of the Messengers named to carry up to the Honourable the Legislative Council the Bill entitled "An Act for the more General Dissemination of Learning throughout the Province," reported that they had carried up the said Bill to the Council, and did request their concurrence thereto.

## 2. PROCEEDINGS OF THE LEGISLATIVE COUNCIL ON THIS BILL.

February 22nd, 1806.—A deputation from the House of Assembly brought up to this House for its concurrence, a Bill intituled "An Act to Procure certain Apparatus for the Promotion of Science;" which Bill, having been read to the House for the first time, on motion, made and seconded, was ordered to be read a second time on Monday next.

February 24th, 1806.—The Order of the Day being read, the Bill intituled "An Act to Procure certain Apparatus," etc., was read the second time. The Hon. John McGill moved,

seconded by the Hon. Æneas Shaw, that the House do now resolve itself into a Committee of the Whole, to take the said Bill into consideration. Thereupon it was ordered accordingly. The House went into Committee, the Hon. Mr. Hamilton in the chair. After consideration of the Bill, the Speaker resumed the Chair. The Chairman of Committee reported that some progress had been made in the consideration of the Bill, and requested leave to sit again to-morrow. Thereupon it was ordered accordingly.

*February 25th, 1806.*—The Bill intituled “An Act to Procure certain Apparatus,” etc., having been ordered for farther commitment this day, the House went into Committee thereupon, Hon. Æneas Shaw in the chair. The Speaker having resumed the Chair, the Chairman of Committee reported that the Committee had gone into the further consideration of the Bill, to which they had made some amendments, which report was accepted. On motion, made and seconded, it was ordered that the said amendments be engrossed and read again to-morrow.

*February 26th, 1806.*—The amendments to the Bill intituled “An Act to Procure certain Apparatus,” etc., having been read, were approved of, and on motion, made and seconded, were adopted. The question being then put, that this Bill do now pass, as amended, it was resolved in the affirmative. And having thus passed, and been signed by the Speaker, it was taken by the Master-in-Chancery, Mr. W. W. Baldwin, to the House of Assembly.

*February 27th, 1806.*—A deputation from the House of Assembly brought up for the concurrence of this House a Bill intituled “An Act to Procure certain Apparatus,” etc., which Bill was read a first time, and ordered to be read a second time to-morrow.

*February 28th, 1806.*—The Order of the Day having been read, the [apparatus] Bill was read a second time, and considered in Committee. The Speaker having resumed the Chair, the Chairman reported that the Bill which had been before the Committee was literally what had passed the House on the 26th instant, with the title amended by this House, as it now appears, and which amendment had been adopted by the House of Assembly; which report was accepted. And this Bill, being no further a new Bill than merely the change of title, passed through all the different stages *pro forma* only, and was returned, as approved of, to the House of Assembly.

Another deputation from the House of Assembly brought up, for the concurrence of this House, a Bill intituled “An Act for the more General Dissemination of Learning throughout this Province.” It was read a first time.

*March 1st, 1806.*—The Bill intituled, “An Act for the more General Dissemination of Learning,” etc., having been read the second time, on motion, made and seconded, it was ordered that the House do now resolve itself into a Committee of the Whole House to go into the consideration thereof. The House went into Committee, Hon. Mr. McGill in the chair. The Speaker having resumed the Chair, the Chairman reported progress, and requested leave to sit again on Monday next. And leave was granted. But on

*Monday, 3rd March, 1806,* His Honour the President came into the Council Chamber and having had the Members of the House of Assembly summoned by Black Rod, assented in the King’s name to several Bills, amongst which was the “Act to Procure Certain Apparatus for the Promotion of Science,” but not that for the more General Dissemination of Learning throughout the Province, as it had failed to pass the Legislative Council.

After closing the Session with a Speech from the Throne, His Honour President Grant prorogued the Legislature. In his speech he said:—

The encouragement which you have given for the procuring of the means necessary for communicating of useful and ornamental knowledge to the rising generation meets with my approbation, and I have no doubt will produce the most salutary effects.

As to the result of this effort to communicate “useful and ornamental knowledge to the rising generation,” the Rev. Dr. Scadding, in his *Toronto of Old*, says:—

The Parliament that sat during President Grant’s brief administration appropriated [£400] to the purchase of instruments for illustrating the principles of natural philosophy, “to be deposited in the hands of a person employed in the education of youth;” from the debris of which collection, preserved in a mutilated condition in one of the rooms of the Home District School building, we ourselves, like others, probably, of our contemporaries, obtained our very earliest inkling of the existence and significance of scientific apparatus. (Page 351.)

The following is a copy of this Act :—

46 George III., chapter III.

AN ACT TO PROCURE CERTAIN APPARATUS FOR THE PROMOTION OF SCIENCE.

The Honourable Alexander Grant, Esquire, President.

Passed 3rd March, 1806.

Section 1. £400 appropriated for the purchase of instruments for illustrating the principles of natural philosophy, etc. (Temporary.)

2. And be it further enacted by the authority aforesaid : That the Governor, Lieutenant Governor, or persons administering the government of this Province, is hereby authorized and empowered to deposit the said instruments (under such conditions as he shall deem proper and expedient) in the hands of some persons employed in the education of youth in this Province, in order that they may be as useful as the state of the Province will permit.

Such instruments to be deposited in the hands of a person employed in the education of youth.

3. Receiver-General to account for the said sum of £400, etc. (Temporary) Grant.

MEMBERS OF THE LEGISLATIVE COUNCIL WHO TOOK PART IN THE EDUCATIONAL LEGISLATION OF 1806.

The Hon. JOHN MCGILL was with Lieutenant-Colonel Simcoe during the American Revolutionary War. Rev. Dr. Scadding says of him :—Captain McGill and his Commander were taken prisoners in 1779. They formed a plan of escape, but it was frustrated by the breaking of a key. He became Quartermaster of Cavalry, and afterwards had charge of the army stores at Queenston. Subsequently he became Receiver-General, and also Auditor-General of Land Patents. He was made a member of the Legislative Council in 1798. Simcoe's testimony of Mr. McGill was :—"No man ever executed the office of Quartermaster with greater integrity, courage and conduct." He died in 1834, aged 83.

The Hon. ÆNEAS SHAW, as stated by Governor Simcoe, in a letter to Sir George Yonge, Secretary at War, dated 17th of January, 1792, "successfully marched with his division of the Queen's Rangers all the way from New Brunswick to Montreal in the depth of winter on snow shoes."\* Rev. Dr. Scadding, in his *Toronto of Old*, thus speaks of him :—

\* Captain Æneas Shaw was . . . well known in Upper Canada as Major-General Shaw. Like so many of the early men of note, he was a Scotchman. . . . Possessed of great vigour and decision, his adopted country availed itself of his services in a civil, as well as a military capacity, making him a member of the Legislative and Executive Councils. (page 358).

The Hon. ROBERT HAMILTON was appointed a Member of the Legislative Council in 1792. He resided at Queenston.

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\* This same feat was accomplished by the British troops which came overland through New Brunswick at the time of the famous "Trent Affair" in 1861. The hardships encountered in that long and arduous march, although severe, were much less so than those endured in the early part of the century, when Captain Shaw and his division performed the same march in 1791-92.



## CHAPTER XVII.

## EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1807.

The third Session of the fourth Parliament of Upper Canada was opened by His Excellency, Francis Gore, Esquire, Lieutenant-Governor, on the second day of February, 1807. No reference to education or schools was made in the Speech from the Throne. But the Session was, nevertheless, one of the most memorable in the history of the legislation of those times. During that Session, the Legislature laid down the principle for the first time, that it was the duty of the country to provide for the elementary education of its youth. It not only did so, but it recognized that duty, and gave proof of such recognition, by passing, with comparative unanimity, an Act for the establishment of a Public School—adopting the English nomenclature of such schools—in each of the eight Districts into which Upper Canada was then divided.

It is true that in passing this Act the Legislature committed itself to an educational anachronism; for, by it, the Legislature established High, or Grammar, Schools in each District, but made no provision whatever for the elementary feeders of these higher institutions, such as Primary Schools would have been. This want was not supplied for several years, nor until 1816, when a systematic effort was made to temporarily provide for the support of Common Schools to the extent of \$24,000 per annum—but which support was reduced in 1820, at the expiration of the tentative Act of 1816, to \$10,000 per annum.

As an evidence of the conservative character of the school legislation of those days, it may be remarked that this first Grammar School Act of 1807, although frequently sought to be repealed, remained in force, with some additions and amendments, until 1853, when it was superseded by a more comprehensive measure, prepared by Rev. Dr. Ryerson in that year.

## 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1807.

*On the 9th of February, 1807*, Mr. Ebenezer Washburn, seconded by Mr. Benajah Mallory, moved for leave to bring in a Bill on Wednesday next to provide a fund for the support of one Public School in each and every District within this Province. Leave was accordingly given.

*11th February, 1807*.—Mr. Ebenezer Washburn then moved that so much of the Order of the Day as relates to his bringing in a Bill this day to provide a fund for the support of District Schools in this Province be discharged, and that he have leave to bring in the same to-morrow. Ordered accordingly.

*12th February, 1807*.—Read for the first time the District School Bill introduced by Mr. Washburn. He then moved, seconded by Mr. D. M. Rogers, that the Public (Grammar) School Bill be read a second time to-morrow. Ordered accordingly.

*13th February, 1807*.—Read for the second time, the Bill for establishing Public (Grammar) Schools throughout this Province. Mr. Washburn moved, seconded by Mr. Thomas Dorland, that the House do now resolve itself into a Committee of the Whole, to take into consideration the Public (Grammar) School Bill. The House accordingly resolved itself into Committee.

Mr. Speaker having left the Chair, Mr. Benajah Mallory was called to the Chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Mallory reported that the Committee had made a progress, and that he was directed to ask for leave to sit again on Monday next. Ordered that the Committee have leave to sit again on Monday.

*16th February, 1807.*—Agreeable to the Order, of the Day, the House resolved itself into Committee, to go into the further consideration of the Bill for establishing Public (Grammar) Schools throughout this Province. Mr. Speaker having left the Chair, Mr. John Crysler was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Crysler reported that the Committee had made a progress, and had directed him to ask for leave to sit again. Leave was accordingly given.

*19th February, 1807.*—Mr. Washburn moved, seconded by Mr. Dorland, that the House do now resolve itself into Committee to take into consideration the Public (Grammar) School Bill. The House accordingly resolved itself into Committee.

Mr. Speaker having left the Chair, Mr. Crysler was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Crysler reported that the Committee had made a progress, and that he was directed to ask for leave to sit again to-morrow. Leave was given accordingly.

*20th February, 1807.*—Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the further consideration of the Bill for establishing Public (Grammar) Schools in the several Districts throughout this Province.

Mr. Speaker having left the Chair, Mr. Crysler was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Crysler reported that the Committee had made a progress, and had directed him to ask for leave to sit again on Monday next. Leave was accordingly granted.

*25th February, 1807.*—The House then resolved itself into a Committee on the Public (Grammar) School Bill. Mr. Speaker having left the Chair, Mr. Crysler was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Crysler reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report whenever the House should be pleased to receive the same. The report was then received and accepted. Mr. Washburn then moved, seconded by Mr. Crysler, that the Public School Bill be engrossed and read a third time on Friday next. Ordered accordingly.

*28th February, 1807.*—Read for the third time, as engrossed, the Bill for establishing a Public (Grammar) School in each district in this Province. Mr. Justice Thorpe moved, seconded by Mr. Peter Howard, that the Public District School Bill be re-committed on Monday next. Ordered accordingly.

*2nd March, 1807.*—Then was read for the third time, as engrossed, the Bill for establishing District Schools in this Province. Mr. Allan McLean moved, seconded by Mr. Sherwood, that the Bill do pass, and that the title be “An Act to Establish Public Schools in each and every District of this Province.” The Speaker then put the question—Shall the Bill pass? A division took place; the names being called for, they were taken down, and are as follows:—

YEAS.—The Solicitor-General and Messieurs Sherwood, Elliott, Cowan, McGregor, McLean, Clench, Swayze, Nelles, Washburn, Mallory—11.

NAYS.—Messieurs Crysler, Hill, Rogers and Mr. Justice Thorpe—4.

Carried in the affirmative by a majority of seven. The Bill then passed, and was signed by the Speaker.

Mr. McLean then moved, seconded by Captain Elliott, that Messieurs Ebenezer Washburn and Isaac Swayze be a Committee to carry the Public School Bill up to the Legislative Council and request their concurrence thereto, which was ordered accordingly.

*5th March, 1807.*—A Message from the Legislative Council was brought down by Mr. W. W. Baldwin, Master-in-Chancery:—

MR. SPEAKER :

I am commanded by the Legislative Council to inform Your Honourable House that they have passed a Bill entitled “An Act to Establish Public Schools in each and every District of this Province,” without any amendment.

THOMAS SCOTT,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
5th March, 1807.

#### MEMBERS OF THE HOUSE OF ASSEMBLY WHO TOOK PART IN THE SCHOOL LEGISLATION OF 1807.

Messieurs Ebenezer Washburn, Benajah Mallory, David M. Rogers, Thomas Dorland, Samuel Sherwood, Allan McLean, and the following:—

Mr. THOMAS DORLAND was elected to represent the Counties of Lennox and Addington in 1805 and 1809, and Mr. JOHN CRYSLER was elected to represent the County of Dundas in 1805, 1813, 1817 and 1825.



The Hon. Mr. Justice (R.) Thorpe was elected in 1806 for the Second Riding of York, Simcoe and Durham, to succeed Mr. William Weekes, who lost his life in a duel with Hon. William Dickson, of Niagara. At that time judges could sit in either House of the Legislature of Upper Canada. Mrs. Edgar, in her *Ten Years of Upper Canada, 1805—1815*, thus speaks of him :—

By becoming a champion of the public he, (Judge Thorpe), fell under the displeasure of Lieutenant-Governor Gore and the Government party. . . . The complaints of the people found expression in memorials from the grand juries to Judge Thorpe, . . . to be by him laid before the Governor. . . . With his election came the dawn of party politics in Upper Canada, and an organized Opposition. . . . Soon after his election the Governor procured his recall to Great Britain, where he sued Mr. Gore for libel and obtained a verdict. . . . He, however, never returned to Canada. . . . As a sort of recompense for his unjust recall, he was appointed Chief Justice of Sierra Leone. In that unhealthy climate his health broke down, and he returned to England, bearing with him a petition from the people to the Ministry for the redress of certain grievances in that colony. For this second championship of the oppressed, his appointment of Chief Justice was cancelled, and he was left to pass the remainder of his days in poverty and obscurity. (Pages 20, 21.)

Mr. McMullen, in his *History of Canada* (1891), points out that Judge Thorpe's "difficulties mainly had their origin in his own imprudence, . . . and had he not placed himself in a false position, as a Judge, by becoming a Member of the House of Assembly—a political body?" (Vol. 1, page 318.)

## 2. PROCEEDINGS OF THE LEGISLATIVE COUNCIL ON THE DISTRICT SCHOOL BILL.

*3rd March, 1807.*—A deputation from the House of Assembly having been announced, the Speaker resumed the Chair. The deputation being admitted, brought up for the concurrence of this House a Bill intituled "An Act to Establish Public Schools in each and every District of this Province." The Bill was read a first time, and ordered to be read a second time to-morrow.

*4th March, 1807.*—The Order of the Day being read, on motion of the Hon. Richard Cartwright, ordered that so much as relates to the second reading of the Bill intituled "An Act for Establishing District Schools," etc., be discharged, and that the House do now resolve itself into a Committee to take into further consideration the Bill relating to [rates and assessments, as well as] the District (Grammar) School Bill. The motion was carried.

The Speaker having resumed the Chair, the Hon. John McGill, chairman of the Committee, reported that the Committee had taken into consideration the Bill intituled "An Act for Establishing Public (Grammar) Schools," etc., and had agreed thereto without any amendment. Ordered that the said report be accepted, and that the said Bill be read a third time on to-morrow.

*5th March, 1807.*—The Order of the Day being read, the Bill intituled "An Act for Establishing Public Schools," etc., was read a third time. And the question being put, if the said Bill do now pass, it was resolved in the affirmative. And the Speaker having signed the same it was, by Mr. W. W. Baldwin, the Master-in-Chancery, carried down and returned to the House of Assembly.

*10th of March, 1807.*—The House being formed at twelve o'clock, His Excellency the Lieutenant-Governor, Francis Gore, Esquire, had the Members of the House of Assembly summoned, and then gave assent in the King's name among other Bills, to the one intituled "An Act, to establish Public Schools in each and every District in this Province." In his Speech, on proroguing the Legislature, Lieutenant-Governor Gore, said :—

I have, with particular approbation assented, in His Majesty's name, to the Act whereby Public Schools will now be established in the different Districts of this Province, fully sensible, as I am, of the importance of such institutions to the education and morals of the rising generation in this infant colony. In the prosecution of this laudable object, you may rely upon my attention and care.\*

\* Lieutenant-Governor Gore arrived in Upper Canada in 1806. He was rather arbitrary in his proceedings towards the House of Assembly, especially when it proposed, in 1817, to enquire into "the state of the Province," as the result of a political agitation then rife. He summarily dismissed the Legislature on the 7th April, 1817, because a majority of the House of Assembly had decided to proceed with the enquiry. He obtained leave of absence in 1811, and did not return to Upper Canada until 1815, but only remained until the summer of 1817. The old Gore District was named after him, and he named Belleville after his wife Anabella, or "Bell."



The following is a copy of this Act, as assented by His Excellency Francis Gore, Esquire, Lieutenant-Governor of Upper Canada :—

47th George III, Chapter VI.

AN ACT TO ESTABLISH PUBLIC SCHOOLS IN EACH AND EVERY DISTRICT OF THIS PROVINCE.

Francis Gore, Esquire, Lieutenant-Governor.

Passed 10th March, 1807.

MOST GRACIOUS SOVEREIGN :—

Whereas it is considered expedient that some means be devised for the education of youth, may it therefore please Your Majesty, that it be enacted ; and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province," and by the authority of the same, that for the establishment of Public Schools in this Province, the sum of eight hundred pounds shall be annually paid, in manner hereinafter mentioned, out of any monies, which are now raised or levied, or which hereafter may be raised or levied, by authority of Parliament, to or for the uses of this Province.

2. And be it further enacted by the authority aforesaid, that there shall be one Public School in each and every District of this Province, and that out of the said sum of eight hundred pounds, annually so appropriated as aforesaid, the annual sum of one hundred pounds shall be paid to each and every Teacher, who shall be nominated and appointed to any of the said Public Schools in this Province, for the education of youth, in manner hereinafter mentioned.

3. And be it further enacted by the authority aforesaid, that the Public School for the Western District shall be opened and kept in the Town of Sandwich, and the Public School for the District of London shall be opened and kept in the Township of Townshend, at such place as the Trustees, or the majority of them, shall think proper to appoint, and that the Public School for the District of Niagara shall be opened and kept in the Town of Niagara, and that the Public School for the Home District shall be opened and kept in the Town of York, and that the Public School for the District of Newcastle shall be opened and kept in the Township of Hamilton, at such place as the Trustees, or the majority of them, shall think proper to appoint, and that the Public School for the Midland District shall be opened and kept in the Town of Kingston, and that the Public School for District of Johnstown, shall be opened and kept in the Township of Augusta, at such place as the Trustees, or the majority of them, shall think proper to appoint, and that the Public School for the Eastern District shall be opened and kept in the Town of Cornwall.

4. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province, to appoint from time to time, not less than five fit and discreet persons in each and every District of this Province, Trustees to the said Public Schools, which said Trustees, or the majority of them, shall have full power and authority to nominate a fit and discreet person as Teacher thereof, and to examine into the moral character, learning and capacity of such person so nominated, and being satisfied with the moral character, learning and capacity of such person, it shall and may be lawful for the said Trustees, or the majority of them, to report such, their nomination, to the Governor, Lieutenant-Governor, or person administering the Government of this Province, either to affirm or disaffirm such nomination as aforesaid ; provided always, that the said Trustees, or the majority of them, shall have full power and authority, in their discretion, to remove such Teacher from his Public School for any misdemeanor or impropriety of conduct, and that it shall and may be lawful for the said Trustees, or the majority of them, in each and every District of this Province, in case of the demise, dismissal or removal of any Teacher of the said Public Schools, to nominate and appoint, as often as the case may require, one other fit and discreet person, as a Teacher to the said Public School, which Trustees, or the majority of them, previous to such nomi-

Preamble.  
(See 48 Geo. III, ch. 16 ; 59 Geo. III, Sess. 2, Ch. 4 ; 2 Vic. Ch. 10.)

The sum of £800 to be annually paid for the establishment of Public Schools.

One Public School in every District. £100 to be paid annually to every teacher of such Public School.  
(See 59 Geo. III, Sess. 2, Ch. 4, Sec. 11.)

Places where the said Public Schools are to be kept in each respective District.  
(See 48 Geo. III Ch. 16, Sec. 1.)

(See 59 Geo. III Sess. 4, Ch. 4.)

The Governor, Lieutenant-Governor, or person administering the Government, to appoint Trustees in every District for said Schools.

Trustees to nominate a fit person as Teacher, and to report their nomination to the Governor, etc., who may either affirm or reject such nomination.

nation and appointment as aforesaid, shall examine into the moral character, learning and capacity of such teacher, and being satisfied therewith, such appointment shall be immediately transmitted to the Governor, Lieutenant-Governor, or person administering the Government of this Province, either to approve or disapprove of the same.

5. And be it further enacted by the authority aforesaid, that the Trustees appointed under and by virtue of this Act, in each and every District of this Province, or the majority of them, shall have full power and authority to make such rules and regulations for the good government and management of the said Public Schools, with respect to the Teacher, for the time being, and to the Scholars, as in their discretion shall seem meet.

6. And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province, from time to time, to issue his warrant to the Receiver-General of this Province, for the payment of such yearly salary or salaries, half-yearly, as shall or may from time to time be due to any Teacher or Teachers appointed under this Act, upon such Teacher or Teachers producing a certificate signed by the Trustees, or the majority of them, of the District in which he shall have so taught or educated youth, of his having faithfully demeaned himself in his office as a Teacher as aforesaid, for and during such time as he shall so require payment for his service.

7. And be it further enacted by the authority aforesaid, that this Act shall continue in force for four years from the date of its passing and until the end of the next ensuing session of the Parliament of this Province. Repealed by 48th Geo. III. Chap. XVI.

In order to give effect to the provisions of this Act, the Lieutenant-Governor appointed the following gentlemen to be the first Trustees of the Public (Grammar) Schools in their respective Districts, viz:—

1. Eastern District.

Samuel Sherwood, Niel McLean, Samuel Anderson, Joseph Anderson, John Cryslar, Alexander McMillan,	} Esquires.
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2. District of Johnstown.

Thomas Sherwood, Ephraim Jones, Solomon Jones, James Campbell, Elijah Bottom,	} Esquires.
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3. Midland District.

Hon. Richard Cartwright, Rev. Dr. Stuart, Allan McLean, Joseph Forsyth, Thomas Markland, Peter Smith, Alexander Fisher, Philip Dorland,	} Esquires. } App'ted } 2nd May.
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4. District of Newcastle.

Asa Burnham, Leonard Sooper, Elias Smith, Senior, Elias Jones, John Peters, John Bleeker,	} Esquires.
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5. Home District.

Rev. G. O. Stuart, D'Arcy Boulton, John Small, Duncan Cameron, Samuel Smith, William Graham, Thomas Ridout,	} Esquires.
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6. District of Niagara.

Hon. Robert Hamilton, Colonel Clark, William Dickson, Robert Kerr, Thomas Cummings, James Muirhead, John Symington,	} Esquires.
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7. District of London.

Thomas Talbot, Samuel Ryerse, Joseph Ryerson, William Hutchinson, Thomas Walsh, John Coltman, Daniel Springer,	} Esquires.
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8. Western District.

Hon. James Baby, Rev. R. Pollard, Matthew Elliott, Angus McIntosh, John Askin, Senior, Gregor McGregor, Alexander Duff,	} Esquires.
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Trustees may remove any Teacher and nominate another, and report as aforesaid.  
Governor, etc., may either approve or disapprove of such last mentioned nomination.  
Trustees authorized to make rules and regulations respecting said Schools.  
Mode of payment of the salaries of the said Teachers.  
Continuance of this Act.

## CHAPTER XVIII.

## EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1808.

The fourth session of the fourth Parliament of Upper Canada was opened on the 20th January, 1808, by His Excellency Francis Gore, Esquire, Lieutenant-Governor. In his Speech from the Throne he said :—

Since the last Session of this Legislature the necessary means have been taken on my part and on that of the Trustees appointed by me, for the establishing of Public Schools, institutions which, I trust, will be the means not only of communicating useful knowledge to the youth of this Province, but also of instilling into their minds principles of Religion and Loyalty.

## 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1808.

*27th January, 1808.*—Extract from the Address of the House of Assembly in reply to the Lieutenant-Governor's Speech :—

We highly applaud the prompt and efficacious measures adopted by Your Excellency to carry into effect the provision of an Act passed in the last Session of Parliament for the establishment of Public Schools, and we pleasingly anticipate from these institutions the most substantial benefit to the rising generation in this Province.

*1st February, 1808.*—A Petition was read from the London District, praying for a division of the Public School grant, which was as follows :—

To the Honourable the Members of the House of Parliament of Upper Canada, now convened. The humble Petition of us, His Majesty's most loyal subjects :

Most humbly sheweth, That in your wisdom, in your last session of Parliament, you were pleased to vote a certain sum of money for the use of a Public School in this District, said school to be under the direction of certain trustees appointed by His Majesty's Representative for that purpose.

That your humble petitioners see with regret, from what has taken place, that your laudable intentions are frustrated, and the money—in our present situation—is totally lost to the public.

That your petitioners having nominated a teacher, on being paid double the sum for his labours as those we have had before, (of equal service to us), which measures have put it out of the power of the public to reap that advantage which was designed them.

That your humble petitioners referring this to wise and better judgments hope your Honourable House will take this infant district into your consideration, and, if in your wisdom should think it expedient, the money appropriated to one school be divided into four equal parts, to four different schools.

And your petitioners, as in duty bound, will ever pray.

John Backhouse, Silas Secord, Titus Finch, Abram Smith, James McColl, and sixty others.

*17th February, 1808.*—A petition was read from the trustees, appointed by His Excellency the Lieutenant-Governor, in the District of London, by virtue of an Act passed in the last session of the Legislature, intitled "An Act to establish Public Schools in each and every District of this Province," praying that the site of the London District School be changed from the Township of Townsend to the Village of Dover, which petition is as follows :

To the Honourable the Commons of Upper Canada, in Parliament assembled.

The memorial of the Trustees appointed and acting under the District School Bill for the District of London, most respectfully representeth,

That soon after they received their appointment, they proceeded to discharge the trust reposed in them, by recommending to His Excellency the Lieutenant-Governor, a person whom they considered properly qualified to fill the situation of District School Master, who, in consequence of such recommendation, was duly appointed.

That the person so nominated, on receiving notice of his appointment, attended for the purpose of performing the duties attached to the situation, but neither school house nor scholars could be procured in Townsend, the place pointed out by the Statute.

Your memorialists, therefore, trust that your Honourable House, taking into consideration the important object contemplated by the Statute, and the impossibility of carrying it into effect under existing circumstances, will deem it expedient to amend the Act, so that the school may



be opened and kept in the village of Dover, in the township of Woodhouse, where a school house would be built, as appears by the accompanying subscription lately set on foot, and sufficient accommodation procured for those coming from distant parts of the district.

And your memorialists, as in duty bound, will ever pray.

Samuel Ryerse, John Cottman, Joseph Ryerson, Thomas Walsh, Trustees.

Mr. Benajah Mallory then moved, seconded by Mr. Peter Howard, for leave to bring in a Bill, on Saturday next, to change the place of holding the public (grammar) school in the District of London. Leave was accordingly granted.

19th February, 1808.—Mr. Joseph Willcocks moved, seconded by Mr. Mallory, for leave to bring in a Bill, on Thursday next, to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), entitled "An Act to establish Public Schools in each and every District in this Province." Leave was accordingly granted.

20th February, 1808.—Mr. Mallory moved, seconded by Mr. Thomas Dorland, that so much of the Order of the Day as relates to the bringing a Bill respecting the Public School in the District of London be discharged, and that leave be given him to bring in the same on Tuesday next. Accordingly so much of the Order of the Day was discharged, and leave was given him to bring in the same on Tuesday next.

26th February, 1808.—Mr. David McG. Rogers moved, seconded by Mr. Sherwood, that so much of the Order of the Day as relates to going into Committee on the District School Bill be discharged, and that the same be committed to-morrow. Accordingly the said Bill was discharged and ordered to stand as a part of the Order of the Day, to-morrow.

27th February, 1808.—Mr. Mallory moved, seconded by the Solicitor-General, that so much of the Order of the Day as relates to the London District School Bill be discharged and that he have leave to bring in the same on Monday next. The said Order was discharged and leave given to bring in the said Bill on Monday next.

1st March, 1808.—Read for the first time the Bill for establishing a public (grammar) school in the District of London.

Mr. Mallory then moved, seconded by Mr. Howard, that the London District School Bill be read a second time to-morrow.

The Hon. Alexander McDonell, Speaker, having put the question, a division thereupon took place. The names being called for, they were taken down, as follows :

YEAS—Messieurs. Mallory, Rogers and Howard.—3.

NAYS—The Solicitor-General, and Messieurs Cowan, McLean, Sherwood, McGregor, Clench, Swayze, Nelles, Washburn and Crysler.—10.

The same was carried in the negative by a majority of seven.

The Solicitor-General moved, seconded by Mr. Allan McLean, for leave to bring in a Bill, to-morrow, to alter and amend an Act passed in the last session of the Legislature (1807), for the establishment of Public Schools in each and every District of this Province. Leave was accordingly granted.

3rd March 1808.—Read for the second time, the Bill for authorizing the Trustees of the Public school in the District of London, or the majority of them, to establish the said school in such part of the said District as they may deem proper for the same.

The Solicitor-General moved, seconded by Captain David Cowan, that the House do now resolve itself into a Committee to go into the consideration of the London District School Bill. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker having left the Chair, Mr. Dorland was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Dorland reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House, whenever it shall be pleased to receive the same.

(NOTE.—The chief amendment made in this Bill by the Committee was the incorporation in it of the London District (Grammar) School Bill, as part of the first and second sections.)

On Mr. Speaker having put the question, shall the report be now received, a division thereupon took place. The names being called, they were taken down and are as follows :

YEAS—The Solicitor-General, and Messieurs Cowan, Sherwood, McLean, McGregor, Clench, Washburn and Crysler.—8.

NAYS—Messieurs. Mallory, Howard Rogers and Dorland.—4.

The same was carried in the affirmative by a majority of four. The report was accordingly received and accepted.

The Solicitor-General then moved, seconded by Mr. Sherwood, that the District (Grammar) School Bill be engrossed and read a third time to-morrow. Which was ordered accordingly.

5th March, 1808.—Mr. Samuel Sherwood moved, seconded by the Solicitor-General, that the District School Bill be the first thing on the Order of the Day, to be read the third time.

On Mr. Speaker having put the question, Messrs. Rogers, Dorland and Howard retired from their seats.\*

The names of the members present were taken down and are as follows :

The Speaker, The Solicitor-General, and Messieurs Washburn, McLean, Cowan, Sherwood, McGregor, Crysler, Clench and Mallory.

The Speaker then adjourned the House, for want of a quorum, until Monday next.

8th March, 1808.—Mr. Speaker, on his having taken the Chair, informed the House that on the division of a question relative to the third reading of a Bill, last Saturday, three members thought proper to quit their seats, and thus left the House without a quorum. Thus situated, he conceived it his duty to dispatch an express, requiring the attendance of two of the members from the District of Niagara. To the activity of the gentleman who was dispatched with the summons, and the persevering zeal of one of the members so summoned, the colony is indebted for being able once more to proceed on the business now before it.

Mr. Ebenezer Washburn, seconded by Mr. Samuel Sherwood, then moved that the following Order be inserted on the Journals of the House.

*Ordered*, That it be inserted upon the journals of this House that on Saturday last, when a question relating to the passage of a School Bill was about to be put by the Speaker, David McGregor Rogers, Thomas Dorland and Peter Howard, Esquires, members of the House then present in their places, departed the House without leave, whereby the House was left without a quorum.

*Ordered*, That it be further inserted upon the Journals, that the House do approve of the conduct of the Speaker in sending an express for Messieurs Nelles and Swayze, absent by consent, and that the expense incident to such express shall form a part of the contingent expenses of this House. The House unanimously resolved the same.

Mr. Samuel Sherwood, seconded by Mr. Ralph Clench, moved that the District (Grammar) School Bill be now read for the third time. The said School Bill, as engrossed, was accordingly read for the third time.

Mr. Sherwood then moved, seconded by Mr. Washburn, that the Bill do pass, and that the title be "An Act to amend An Act passed in the forty-seventh year of His Majesty's reign (1807), entitled 'An Act to establish Public Schools in each and every District of this Province.'" A division thereupon took place. The names being called for, they were taken down, and are as follows :

YEAS—The Solicitor-General, and Messieurs McLean, Cowan, Sherwood, McGregor, Clench, Washburn, Nelles and Crysler.—9.

NAYS—Mr. Mallory.

The same was carried in the affirmative by a majority of eight. The Bill then passed and was signed by the Speaker.

Mr. Sherwood then moved, seconded by Mr. Nelles, that the Solicitor-General and Mr. Washburn do carry up to the Honourable the Legislative Council the Act entitled "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), entitled 'An Act to establish Public Schools in each and every district of this Province,'" and request their concurrence thereto, which was ordered accordingly.

The Solicitor-General and Mr. Washburn reported that they had carried up to the Honourable the Legislative Council the Act entitled "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), entitled 'An Act to establish Public Schools in each and every district of this Province,'" and did request their concurrence thereto.

11th March, 1808.—A message was received from the Honourable the Legislative Council, by Mr. W. W. Baldwin, Master-in-Chancery :

MR. SPEAKER :—

I am commanded by the Honourable the Legislative Council to inform Your House that they have concurred in passing an Act sent up from Your Honourable House intituled "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled 'An Act to establish Public Schools in each and every District of this Province.'"

LEGISLATIVE COUNCIL CHAMBER,  
11th of March, 1808.

THOMAS SCOTT,  
Speaker.

\* Mr. Frank Veigh, in his work on "Ontario's Parliament Buildings; or a Century of Legislation, 1792-1892," thus refers to this incident: "The session of 1808 witnessed a peculiar scene, when three or four of the members abruptly left for their distant home, with a determination to put a stop to the business of the session, rather than submit to the intention of the majority to carry a Bill regarding the establishment of schools." (Page 29.)

## 2. PROCEEDINGS OF THE LEGISLATIVE COUNCIL ON THIS BILL, 1808.

The only member of the Legislative Council who is reported to have taken part in its proceedings on this Bill, was the Honourable Æneas Shaw, referred to on page 56, and he only as Chairman of the Committee of the Whole House. The Speaker was the Honourable Thomas Scott, Chief Justice of Upper Canada.

As nearly all of the early Speakers of the Legislative Council were also Chief Justices, it is not necessary for me to refer to them in this work. It is the less necessary as a record of their lives and services is given in a volume published in 1888, by Mr. David B. Read, Q.C., entitled *The Lives of the Judges of Upper Canada and Ontario, from 1791 to the Present Time*.

The proceedings of the Legislative Council on the Public (Grammar) School Amendment Bill of 1808 were as follows :—

*8th March, 1808.*—A deputation from the House of Assembly brought up for the concurrence of this House a Bill, intituled “An Act to amend an Act passed in the forty-seventh year of His Majesty’s reign (1807), intituled ‘An Act to establish Public Schools in each and every District of this Province.’” The Bill was read a first time.

*9th March, 1808.*—In pursuance of the Order of the Day was read a second time “The Bill intituled ‘An Act to amend an Act passed in the forty-seventh year of His Majesty’s reign (1807), intituled ‘An Act to establish Public Schools in each and every District of this Province.’” Ordered that the Bill be committed for to-morrow.

*10th March 1808.*—Pursuant to the Order of the Day, the House went into Committee to take into further consideration the Bill, intituled “An Act to amend an Act passed in the forty-seventh year of His Majesty’s reign (1807), intituled ‘An Act to establish Public Schools in each and every District of this Province,’” the Hon. Æneas Shaw in the Chair.

The Hon. Thomas Scott, Speaker, having resumed the Chair, Mr. Shaw reported that the Committee had taken the said Bill into consideration, and had agreed thereto without any amendment. And the question being put : Whether the said Bill do now pass, it was carried in the affirmative, whereupon it was signed by the Speaker.

*11th March, 1808.*—The House having met, it was ordered that a message be sent to the House of Assembly, signed by the Speaker, and with it the Bill intituled “An Act to amend an Act passed in the forty-seventh year of His Majesty’s reign (1807), intituled ‘An Act to establish Public Schools in each and every District of this Province,’” to which this House has made no amendment. The message and Bill were carried down to the House of Assembly by Mr. W. Baldwin, Master-in-Chancery.

*16th March, 1808.*—The House having met, the Members of the House of Assembly were summoned by Black Rod to the Legislative Council Chamber by command of His Excellency, Francis Gore, Esquire, Lieutenant-Governor, who was pleased to assent to the following among other Bills :—

“An Act to amend an Act passed in the forty-seventh year of His Majesty’s reign, intituled ‘An Act to establish Public Schools in each and every District of this Province.’”

In his closing speech, the Lieutenant-Governor made no reference to the subject of education or schools.

This Bill indicated a desire on the part of both Houses of the Legislature to perpetuate the Public (Grammar) School Act of 1806, for it was provided in the



third section of this Bill that the clause restricting the operation of the Act of 1807 to four years, or until the end of the next ensuing session of Parliament, be repealed. A copy of this Bill is as follows :—

AN ACT TO AMEND AN ACT PASSED IN THE FORTY-SEVENTH YEAR OF HIS MAJESTY'S REIGN, INTITULED  
"AN ACT TO ESTABLISH PUBLIC SCHOOLS IN EACH AND EVERY DISTRICT OF THIS PROVINCE."

48th George III., Chapter XVI.

Francis Gore, Esquire, Lieutenant-Governor.

Assented to, 16th March, 1808.

WHEREAS, an Act passed in the forty-seventh year of His Majesty's reign, Preamble.  
intituled "An Act to establish Public Schools in each and every District of this  
Province" requires to be amended :

Be it, therefore, enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled 'An Act for making more effectual provision for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province,' " and by the authority of the same, that so much of the said Act as enacts that the Public Schools for the District of London shall be opened and kept in the Township of Townsend, shall be, and the same is hereby repealed. Such parts of the 47th Geo. III., ch. 6, as respects London District, repealed.

2. (Which provided that the Public School of the London District be kept in the town of London, and not at Vittoria, as heretofore. Superseded by 7th William IV., Chapter 106.) Place where the school for that District shall be kept.

3. And be it further enacted by the authority aforesaid, that so much of the said Act as limits its duration to four years and from thence to the end of the then next ensuing session of Parliament, shall be and the same is hereby repealed. Such part of the said 47th Geo. III. as limits its duration to 4 years repealed.

## CHAPTER XIX.

### EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1810.

[NOTE.—There are no records of the proceedings of the Legislative Council or of the House of Assembly, for 1809, in either of the Parliamentary Libraries at Ottawa or Toronto.]

The second Session of the fifth Parliament of Upper Canada was opened by His Excellency, Francis Gore, Esquire, Lieutenant-Governor, on the first day of February, 1810, by a speech from the Throne. In it he made no reference to education or schools.

#### 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1810.

The members who took part in these proceedings of the House of Assembly in the session of 1810 were : Messieurs Joseph Willcocks, David M. Rogers, Crowell

Wilson, David Secord, Philip Sovereign, Levi Lewis, Thomas B. Gough, James Wilson and Benajah Mallory. There are no personal records of most of these members available. Sketches of some of them have already been given. The most noted of the others was

Mr. JOSEPH WILLCOCKS, Sheriff of the Home District in the early part of Governor Gore's administration. At the election of Mr. Justice Thorpe, (who succeeded Mr. William Weekes, (who had been killed in a duel with Hon. William Dickson, of Niagara, page 52), Willcocks took an active part, and voted for Judge Thorpe. Governor Gore resented this conduct, and dismissed Sheriff Willcocks from his office. As a rejoinder, Willcocks started the *Upper Canada Guardian*, a newspaper in opposition to the policy and proceedings of the Governor, and espoused the cause of Judge Thorpe, who, at the instance of the Governor, had been recalled to England. Mr. Willcocks succeeded Judge Thorpe in the representation of the Second Riding of the County of York, etc. For a libel on members of the House of Assembly, in regard to an alleged grant of lands to them, Willcocks was imprisoned. Being imbittered by his treatment, and the decline of his paper, he finally joined the American cause in the war of 1812, after having served on the British side in that war. He was killed at the siege of Fort Erie, in 1813. Mr. Benajah Mallory (see page 50) and Mr. Abraham Marcle, two other members of the Legislature, also joined the Americans at the same time.

*2nd February, 1810.*—Mr. Joseph Willcocks, seconded by Mr. D. M. Rogers, moved for leave to bring in a Bill on Thursday next, to repeal certain parts of an Act passed in the forty-eighth year of His Majesty's reign (1808), intituled "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled 'An Act to establish Public Schools in each and every District of this Province.'" Leave was granted accordingly.

*3rd February, 1810.*—Mr. Crowell Wilson moved, seconded by Major David Secord, for leave to bring in a Bill on Saturday next, for appropriating a certain sum of money for the purpose of establishing Common Schools in each and every District, and to alter and amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled "An Act to establish Public Schools in each and every District in this Province."

The Hon. Samuel Street, Speaker, having put the question, a division thereupon took place. The names being called for, they were taken down, and are as follows:—

YEAS—Messieurs Fraser, Marcle, Burritt, Gough, Secord, James Wilson, Lewis and Crowell Wilson—8.

NAYS—Messieurs Roblin, Willcocks, Rogers, John Willson, Sovereign, Mallory—6.

The motion was carried in the affirmative by a majority of two. Leave was accordingly granted to bring in the said Bill.

*7th February, 1810.*—Agreeably to the Order of the Day a Bill to repeal the Act establishing Public (Grammar) Schools in this Province (1807) was read for the first time. Mr. Willcocks moved, seconded by Mr. Rogers, that the Bill for repealing the Public (Grammar) School Act of 1807 be read a second time on Saturday next. Which was ordered accordingly.

*12th February, 1810.*—A Bill to repeal part of an Act passed in the forty-eighth year of His Majesty's reign (1808), intituled "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled 'An Act to establish Schools in each and every District of this Province,'" was read a second time. Mr. Willcocks, seconded by Mr. Philip Sovereign, moved that the House do now resolve itself into a Committee to take into consideration the said School Bill. The House, accordingly, resolved itself into a Committee.

Mr. Levi Lewis was called to the Chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Lewis reported that the Committee had come to a resolution that the said Bill be not adopted.

On Mr. Speaker having put the question, a division thereupon took place. The names being called for, they were taken down and are as follows :

YEAS—Messieurs McNabb, Burritt, Fraser, Marcle, Elliott, Baby, McLean, McGregor, Crowell Wilson and Lewis—10.

NAYS—Messieurs Gough, John Willson, Howard, Mallory, Willcocks, Dorland, James Wilson, Roblin, Sovereign and Secord—10.

The House being divided, Mr. Speaker gave his vote for the Report being received. The Report was then accordingly received and adopted.

[NOTE.—So the Bill to repeal the Public (Grammar) School Act of 1807, introduced by Mr. Joseph Willcocks, on the 2nd day of February, failed to pass the House of Assembly. See Proceedings of the House of Assembly of the 23rd of February, 1810.]

*13th February, 1810.*—The Bill introduced by Mr. Crowell Wilson, on the 3rd of February, for establishing Common Schools in the several Districts of this Province, was read a second time. Mr. Crowell Wilson, seconded by Mr. Lewis, moved that the House do now resolve itself into a Committee to go into the consideration of the Common School Bill. The House accordingly resolved itself into a Committee to go into the consideration of the said Bill.

Mr. Speaker having left the Chair, Mr. Sovereign was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Sovereign reported that the Committee had made a progress in the Bill, and had directed him to ask for leave to sit again this day. Leave was accordingly granted to sit again this day.

Agreeably to leave given, the House again resolved itself into a Committee to go into the further consideration of the Bill for establishing Common Schools in this Province.

Mr. Speaker having left the Chair, Mr. Sovereign was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Sovereign reported that the Committee had made further progress in the Bill, and had directed him to ask for leave to sit again on Friday next. Leave was accordingly given to sit again on Friday next.

*16th February, 1810.*—Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill for establishing Common Schools in this Province.

Mr. Speaker having left the Chair, Mr. Sovereign was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Sovereign reported that the Committee had again made further progress with the Bill, and had directed him to ask for leave to sit again on Monday next. Leave was granted to sit again on Monday next.

*19th February, 1810.*—Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Common School Bill.

Mr. Speaker having left the Chair, Mr. Sovereign took the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Sovereign reported that the Committee had again made further progress in the Bill, and had directed him to ask for leave to sit again to-morrow. Leave was granted to sit again to-morrow.

*21st February, 1810.*—Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Common School Bill.

Mr. Speaker having left the Chair, Mr. Sovereign took the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Sovereign reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same.

On Mr. Speaker having put the question for the report being received, a division thereupon took place. The names being called for, they were taken down and are as follows :

YEAS—Messieurs McNabb, Burritt, John Willson, Howard, Sovereign, Rogers, Mallory, Willcocks, James Wilson, Dorland, Gough, Roblin and Secord.—13.

NAYS—Messieurs Marcle, Fraser, Baby, Crowell Wilson, Lewis and McLean.—6.

The motion was carried in the affirmative by a majority of seven. The report was accordingly received and accepted.

Mr. Thomas B. Gough then moved, seconded by Mr. D. M. Rogers, that the Common School Bill be engrossed and read a third time to-morrow, which was ordered accordingly.

(NOTE.—From the motion made by Mr. Joseph Willcocks on the 23rd of February, it is clear that the Bill to repeal part of the District School Act of 1807



was again brought by him before the House of Assembly with that intention, and the Bill for promoting Common Schools was dropped. The report of the Committee on the Bill introduced by Mr. Willcocks on the 2nd of February, and made to the House on the 12th of February, recommended that the Bill itself "be not adopted." This report was concurred in by the House on that day, and the Bill, consequently, failed to pass.

There is no record in the further proceedings of the House that its "third reading" was ordered, as stated in the following resolution, (and so recorded in the Journal). As a matter of procedure, the motion, as recorded, is incorrect, and part of it may have been accidentally left out. I have, therefore, inserted in brackets the part which was evidently omitted, or misplaced, in the original resolution. However that may be, the House of Assembly consented to allow Mr. Willcocks to bring his Bill again before it, and the following proceedings took place in regard to it :—)

*23rd February, 1810.*—Mr. Joseph Willcocks moved, seconded by Mr. Thomas B. Gough, that so much of the order of the day [of the 21st of February] as directs the third reading of the [Bill for establishing Common Schools be discharged, and that the] Bill for limiting the duration of the Act establishing [District] Schools. . . . \*be now recommitted. The said order was discharged accordingly, and the House resolved itself into a Committee to go into the further consideration of the said Bill.

Mr. Speaker having left the Chair, Mr. Gough was called to the chair of the Committee.

Mr. Speaker having resumed the Chair,

Mr. Gough reported that the Committee had gone through the consideration of the said Bill, to which they had made several amendments, which amendments he was directed to report to the House, whenever the House shall be pleased to receive the same. Ordered, that the Reports be now received and accepted.

Mr. Willcocks moved, seconded by Mr. James Wilson, that the Public (Grammar) School Bill be engrossed and read a third time to-morrow. Ordered accordingly.

*24th February, 1810.*—Read for the third time, as engrossed, the Bill for limiting the duration of the Act establishing Public (Grammar) Schools in this Province (1807). On motion of Mr. Willcocks, seconded by Mr. Sovereign,

*Resolved*, That the Bill do pass and that the title be, "An Act to repeal certain parts of an Act passed in the forty eighth Year of His Majesty's Reign (1808) intituled 'An Act to establish Public Schools in each and every District of this Province (1807).'" The Bill accordingly passed and was signed by the Speaker.

Mr. Mallory, seconded by Mr. Secord, moved that Messieurs Dorland and Howard carry up to the Legislative Council the Act intituled, "An Act to Repeal certain parts of an Act passed in the forty-eighth Year of His Majesty's Reign, (1808), intituled, 'An Act to Amend An Act passed in the forty-seventh Year of His Majesty's Reign, (1807), 'An Act to establish Public Schools in each and every District of this Province,'" and request their concurrence thereto. Ordered accordingly.

Messieurs Howard and Dorland, the members ordered to carry up to the Honourable the Legislative Council, the message of this House, reported that they had, in obedience to the command of this House, carried up to the Legislative Council the Act entitled "An Act to repeal certain parts of an Act passed in the forty-eighth Year of His Majesty's Reign, (1808), intituled, 'An Act to amend an Act passed in the forty-seventh Year of His Majesty's Reign, (1807), intituled, 'An Act to establish Public Schools in each and every District of this Province,'" to which they did request their concurrence in passing the same.

(NOTE.—In adopting Mr. Willcocks' resolution of the 23rd of February, by which the Bill limiting the duration of the Act (of 1807) which established District Schools was substituted for that introduced by Mr. Crowell Wilson on the 3rd

\*The omitted words were evidently the ones which were misplaced, and which I have inserted in brackets in the body of the resolution. They were: "be discharged, and that the," etc.

of February, providing for Common Schools, the House of Assembly again rejected the proposal made to the House in 1804 and 1805, and now again in 1810, to establish elementary, or common schools, as they were designated. By adopting the Bill of Mr. Willcocks, the House further decided to repeal the Act of 1807, (by which Public (Grammar) Schools were established "in each and every District of the Province,") at the end of four years from its passing in 1807, or at the end of the then next ensuing session of the Legislature.

From the following proceedings of the Legislative Council, it will be seen that the Council did not second Mr. Willcocks' proposal, as it took no action on his Bill. In the following session, however, Mr. Willcocks renewed his efforts to have this Act repealed. He was successful in the House of Assembly, but the Legislative Council, by a vote, (and not by silence, as before,) rejected his Bill. (See the proceedings of both Houses on the subject, and on the efforts in the Legislative Council of the Honourable Richard Cartwright to perpetuate the Grammar School Act of 1807, which Mr. Willcocks sought to have repealed.)

## 2. LEGISLATIVE COUNCIL PROCEEDINGS IN 1810 ON THE GRAMMAR SCHOOL REPEAL BILL.

The members of the Council in 1810 were the Honourables Thomas Scott, (Chief Justice), Speaker; Richard Cartwright, James Baby, Æneas Shaw, and John McGill.

*24th February, 1810.*—A deputation from the House of Assembly being announced, it was admitted, and brought up and delivered at the Bar of this House the following message :—

MR. SPEAKER :

We are commanded by the Commons House of Assembly to acquaint this Honourable House that they have passed the following Bill, intituled, "An Act to repeal certain parts of an Act passed in the forty-eighth Year of His Majesty's Reign (1808), intituled, 'An Act to amend an Act passed [in 1807] to establish Public Schools in each and every District of this Province,'" and request the concurrence of your Honourable House thereto.

(Signed) SAM'L STREET,  
Speaker.

Commons House of Assembly,  
24th February, 1810.

The deputation having withdrawn, on motion made and seconded, the said Bill was read a first time.

NOTE.—The Legislative Council took no further action on this Bill, and consequently it failed to become law. This was no doubt due to the influence in the Council of the Honourable Richard Cartwright, who was opposed to the repeal of this Act which had provided in 1807 at the instance of the Rev. Dr. Strachan, for the establishment of Grammar Schools in each of the Districts of the Province.\*

\* Sir John B. Robinson, in his speech at the ceremony of laying the corner stone at King's College, Toronto, on the 23rd of April, 1842, thus speaks of the influence of the Rev. Dr. Strachan in promoting the passage of the Grammar School Act of 1807 :—"As I well remember, it was at your suggestion, and upon the earnest instance of your Lordship, that the Statute was procured, to which we are indebted for the District Grammar Schools throughout Upper Canada." (Page 67 of Proceedings.)



## CHAPTER XX.

## EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1811.

The third session of the fifth Parliament of Upper Canada was opened on the first day of February, 1811, by His Excellency, Francis Gore, Esquire, Lieutenant-Governor. In his speech from the Throne he made no reference to education or schools.

## 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1811.

The members of the House of Assembly who took part in its proceedings relating to education were, Messieurs Joseph Willcocks, Thomas B. Gough, Benajah Mallory, David M. Rogers, Philip Sovereign, Thomas Dorland and Mathew Elliott.

*On the 7th February, 1811.*—Mr. Willcocks, seconded by Mr. Gough, moved for leave to bring in a Bill on Monday next to repeal an Act passed in the forty-seventh Year of His Majesty's reign (1807) entitled, "An Act to establish Public Schools in each and every District of this Province." Leave was accordingly given.

*9th February, 1811.*—Mr. Mallory moved, seconded by Mr. Rogers, that the petition of Henry Bostwick and others, (in regard to the removal of the London District School from Woodhouse to Charlotteville), be now read. Accordingly, the said petition was then read by the Clerk at the Table, and is as follows:—

To the Honourable Members of the House of Commons, in Provincial Parliament assembled.

The memorial of the undersigned most respectfully sheweth,

That, during the Fourth Session of the Fourth Provincial Parliament, a petition was presented to that Honourable Body, signed by a number of the Trustees of the Public Schools for the District of London, praying the removal of the said school from Townsend to the Village of Dover, in the Township of Woodhouse.

That in consequence of that petition, the Trustees were authorized by an Act passed in that session, to establish it where they might think proper, intending, it is presumed, to meet the object of the petition.

That, immediately after the promulgation of the Act, your memorialists called upon the Trustees with a large subscription, (exceeding one hundred pounds, Provincial currency), subscribed by the inhabitants in and near the Village of Dover, for the purpose of erecting a house for the use of the public school, and, at the same time, requested an order for the establishment of it in the said village.

The order which accompanies this was given. Your memorialists were then authorized by the subscribers to collect the subscriptions and superintend the building of the house, in consequence of which your memorialists immediately contracted for the necessary materials, and with carpenters, etc., to build the house.

That after your memorialists had gone to a very great expense, and had contracted for every material to finish the house, they were suddenly told by the Trustees, without any previous communication or intimation of their design, that they had changed their minds and determined to establish the school in Charlotteville, not offering any rational motive for their conduct, excepting that, as we had not completed the house at the time limited in their order, they did not consider themselves any longer bound to us, at which time it was utterly impossible for your memorialists to have finished the house owing to the late opening of the water communication. The nails which were purchased the fall before were at Fort Erie and could not be procured until late in the month of May. This circumstance was well-known to the Trustees.

That, at the time your memorialists received the order for the school, they offered to the Trustees a house for the teacher, in the neighborhood of Dover, where he would immediately have had a very respectable school until the public school house would be finished, but this offer was rejected.

That your memorialists have been at a very great expense (relying upon the faith of the Trustees), to erect the house, which could now be finished in a short time, and that they have



no means of indemnifying themselves should the school be permanently established in Charlotteville, the subscription being for the express purpose of building a house for the use of the public school, and the deed for the land whereon the house is erected, is given to the Trustees in trust for the same purpose.

Wherefore, your memorialists most respectfully pray that your Honourable House, taking into consideration the allegations herein contained, will direct by law, that the public school for the District of London shall be permanently established in the Township of Woodhouse, at the place where the house erected for that purpose is situated. And your memorialists, as in duty bound, will ever pray.

Henry Van Allen, Abraham Rapelge and Henry Bostwick.

Woodhouse, District of London.

*11th February, 1811.*—Mr. Willcocks moved, seconded by Mr. Sovereign, that so much of the Order of the Day as relates to the District (Grammar) School Bill be dispensed with, and that the same be on the Order of the Day for to-morrow. Which was ordered accordingly.

*13th February, 1811.*—Read for the second time the Bill to repeal the District (Grammar) School Act.

Mr. Willcocks then moved, seconded by Mr. Dorland, that the Bill for the repealing the District (Grammar) School Law be read a second time to-morrow. Which was ordered accordingly.

*14th February, 1811.*—Read for the second time the Bill to repeal the District School Act. Mr. Willcocks then moved, seconded by Mr. Rogers, that this House do, on to-morrow, resolve itself into a Committee to take into consideration the District School Bill. Which was ordered accordingly.

*15th February, 1811.*—Agreeably to the Order of the Day, the House resolved itself into a Committee to go into the consideration of the Bill to repeal the District School Act.

Mr. Speaker having left the Chair, Mr. Sovereign was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. Sovereign reported that the Committee had gone through the consideration of the said Bill, without any amendment, which he was directed to report whenever the House should be pleased to receive the same.

On Mr. Speaker having put the question: Shall the report be now received? A division thereupon took place. The names being called for they were taken down as follows:

YEAS.—Messieurs Marsh, Dorland, Gough, Casey, John Willson, Howard, Mallory, Willcocks, Rogers, Stinson, Secord, Lewis, Sovereign, and Crowell Wilson—14.

NAYS.—Messieurs Burritt, Fraser, McLean, Baby and Elliott—5.

The motion was carried in the affirmative by a majority of nine. And the report was received accordingly.

Mr. Willcocks then moved, seconded by Mr. Rogers, that the District School Repeal Bill be engrossed and read a third time to-morrow. Ordered accordingly.

*18th February, 1811.*—Read for the third time, as engrossed, the Bill to repeal the District School Act of 1807.

Mr. Willcocks then moved, seconded by Mr. Sovereign, that the said School Bill do now pass, and that the title be "An Act to repeal part of an Act passed in the forty-eighth year of His Majesty's reign (1808, intituled, 'An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled, An Act to establish Public Schools in each and every District of this Province.'"

The House divided upon the question and the names were taken down as follows:

YEAS.—Messieurs Dorland, Gough, Marsh, Stinson, Casey, John Willson, Howard, Mallory, Crowell Wilson, Willcocks, Rogers, Secord, Lewis and Sovereign—14.

NAYS.—Messieurs McNabb, Burritt, Fraser, McLean, McGregor, Baby and Elliott—7.

Carried in the affirmative by a majority of seven. The Bill then passed and was signed by the Speaker.

Mr. Rogers moved, seconded by Mr. Mallory, that Messieurs Thomas Dorland and John Stinson do carry up to the Honourable the Legislative Council the Act intituled, "An Act to repeal part of an Act passed in the forty-eighth year of His Majesty's reign (1808), intituled, 'An Act to amend an Act passed in the forty seventh year of His Majesty's reign (1807), intituled, An Act to establish Public Schools in each and every District of this Province,'" and request their concurrence thereto. Ordered accordingly.

*20th February, 1811.*—Mr. Dorland, one of the Messengers named to carry up to the Honourable the Legislative Council the Act intituled "An Act to repeal part of an Act passed in the forty-eighth year of His Majesty's reign, intituled, 'An Act to amend an Act passed in

the forty-seventh year of His Majesty's reign, intituled, An Act to establish Public Schools in each and every District of this Province," reported that they had carried up the said Act, and did request their concurrence in passing the same.

(NOTE.—It will be seen, by a reference to the title of the District School Repeal Bill introduced by Mr. Joseph Willcocks on the 7th day of February, 1811, that he proposed to repeal the whole of the School Bill passed in March, 1808, (48th George III., Chapter 16). On the final passage of the Bill, on the 18th of February, the title was changed so as to read: "An Act to repeal part of an Act," etc. This Bill, as will be seen by reference to the proceedings of the Legislative Council of the 25th February, was rejected, and one, by the Honourable Richard Cartwright, substituted for it—the title of which was "An Act further to amend" the original Public (Grammar) School Act of 1807, (47th George III., Chapter 6). This title was also changed in Committee to read: "An Act to establish Public Schools in each and every District in this Province." This Act was rejected by the House of Assembly. See *Note* under proceedings of the Legislative Council, 26th February, 1811).

26th February, 1811.—A message from the Honourable the Legislative Council by Mr. W. W. Baldwin, Master-in-Chancery, was received, as follows:—

MR. SPEAKER:

I am commanded by the Honourable the Legislative Council to acquaint your House that they have passed an Act intituled, "An Act further to amend an Act passed in forty seventh year of His Majesty's reign, intituled, 'An Act to establish Public Schools in each and every District of this Province,'" to which they request the concurrence of your House in passing the same.

Legislative Council Chamber,

26th February, 1811.

(Signed) THOMAS SCOTT,

Speaker.

Read for the first time the Act sent down from the Honourable the Legislative Council, intituled, "An Act further to amend the Act establishing Public Schools in this Province."

Mr. Gough then moved, seconded by Mr. Dorland, that the said District School Amendment Bill be read a second time this day three months. Which was ordered accordingly.

1st March, 1811.—Mr. Mallory moved, seconded by Captain Elliott, for leave to bring in a Bill, to-morrow, to repeal the third clause of an Act passed in the forty-eighth year of His Majesty's reign (1808), intituled, "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), to establish Public Schools in each and every District of this Province."

Mr. Rogers, in amendment, seconded by Mr. Gough, moved that the word "to-morrow" in Mr. Mallory's motion be struck out, and, in lieu thereof, the words "this day three months" be inserted. The question, as amended, was carried in the affirmative. And ordered accordingly.

NOTE.—Thus the proposed repeal of the third section of the Public (Grammar) School Amendment Act of 1808 was not assented to by the House of Assembly; nor was the District School Amendment Bill of the Legislative Council agreed to by it. The third section of the Act of 1808 extended the operation of the Grammar School Act of 1807 beyond the four years to which its duration had been limited by the Act itself on its passing.

## 2. PROCEEDINGS OF THE LEGISLATIVE COUNCIL ON THE DISTRICT SCHOOL REPEAL BILL.

20th February, 1811.—The Legislative Council met pursuant to adjournment on this day. A deputation from the House of Assembly being announced, they were admitted, and brought up for concurrence of this House a Bill intituled, "An Act to repeal part of an Act passed in the forty-eighth year of His Majesty's reign, intituled, 'An Act to amend an Act passed in the forty-



seventh year of His Majesty's reign, intituled, An Act to establish Public Schools in each and every District of this Province." The deputation having withdrawn, on motion made and seconded, the said Bill was read a first time.

*23rd February, 1811.*—Pursuant to notice given the Hon. Richard Cartwright brought in a Bill intituled, "An Act further to amend an Act intituled, 'An Act to establish Public Schools in each and every District of this Province'" (1807). . . . On motion made and seconded, the said Bill was read a first time, and ordered to be read a second time on Monday next.

*25th February, 1811.*—On motion made and seconded, it was ordered that a Bill, intituled, "An Act to repeal part of an Act passed in the forty-eighth year of His Majesty's reign, (1808), intituled, 'An Act to amend an Act passed in the forty-seventh year of His Majesty's reign, (1807), intituled, An Act to establish Public Schools in each and every District of this Province,'" [from the House of Assembly] be read a second time this day three months.

(NOTE.—This motion having passed the Legislative Council, the Council, by it, rejected the District School Repeal Bill brought up from the House of Assembly. By adopting the following motion, the Council substituted for this Repeal Bill passed by the Assembly, the District (Grammar) School Amendment Bill introduced by the Honourable Richard Cartwright on the 23rd February, 1811.)

Pursuant to the Order of the Day, was read a second time, a Bill intituled, "An Act further to amend an Act intituled, 'An Act to establish Public Schools in each and every District of this Province.'" and on motion made and seconded, the House resolved itself into a Committee of the whole House, to take the same into consideration, the Hon. John McGill in the chair.

The Speaker having resumed the Chair, Mr. McGill reported that the Committee had taken the said Bill into consideration, and had made some amendments thereto which they recommended to the adoption of the House. It was ordered that the said report be accepted, and the Bill, as amended, be engrossed and read a third time to-morrow.

*26th February, 1811.*—Pursuant to the Order of the Day was read a third time a Bill intituled "An Act to establish Public Schools in each and every District in this Province." And the question being put, that the Bill do now pass, it was carried in the affirmative; whereupon the Speaker signed the same, and a message to this effect was sent with the Bill to the House of Assembly, by Mr. W. W. Baldwin, the Master-in-Chancery.

NOTE.—By reference to the proceedings of the House of Assembly of this date, (26th of February, 1811), it will be seen that the Assembly rejected the substituted District (Grammar) School Extension Bill of the Honourable Richard Cartwright, sent to it by the Legislative Council on that day.

On the 1st of March, Mr. Benajah Mallory sought to reintroduce the District School Repeal Bill, which had been rejected by the Legislative Council, in which, by giving a more definite title to it than that of the rejected Bill, he no doubt hoped that the House of Assembly would pass it, but it declined to do so. The title of his Bill was "An Act to repeal the third clause of the School Act of 1808," etc., (48th George III., Chapter VI.) This third clause provided that the duration of the Act of 1807 should not be limited to four years from its passing, or until the end of this Session of 1811, but should continue to be in force.

It will thus be seen that both Bills were rejected—one by each House.

As the Honourable Richard Cartwright's District (Grammar) School Bill did not pass the Legislature, its nature can only be surmised from its title, which was altered on its passage by the Legislative Council, so as to provide still further, (as in the Act of 1807), for the establishment "of Public (Grammar) Schools in each and every District of this Province." The Act passed and was sent up to the Legislative Council by the House of Assembly, on the 20th of February, 1811, was designed to repeal the District (Grammar) School Act of 1807, in whole or in part



No doubt the Honourable Mr. Cartwright perceived that this was the design of the Bill sent up by the Assembly, and hence he moved that it be rejected, which was done. He then proposed, as his Bill indicated, that henceforth there should be no uncertainty in the grammar school legislation of the Province, but that, without limitation as to time, Grammar Schools should be permanently established "in each and every District of this Province." This intention on his part may be gathered from the fact that he had during the preceding sessions of the Council invariably advocated this course. (See "note" on page 70.)

The majority of the House of Assembly were clearly of the other opinion, and were, by their projected Bill, opposed to the continuance of the Public (Grammar) School Act of 1807. The Bill introduced into the House of Assembly by Mr. Joseph Willcocks, on the 7th of February, 1811, provided for the repeal of this Act, and when that Bill was rejected by the Legislative Council, Mr. Benajah Mallory proposed on the 1st of March that the third clause of the Act of 1808, (which provided for the continuance of the Act of 1807) should be repealed. His proposal was not assented to, as it was practically the same as that of Mr. Willcocks, which had already been rejected by the Legislative Council. The repeal of the Grammar School Act was pressed upon the House of Assembly by petition from the Midland and Newcastle district. (See pages 62, 76 and 77.) Nevertheless the Act of 1807 remained substantially in force for nearly fifty years, and until 1853, when it was superseded by a more comprehensive Grammar School Act.

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## CHAPTER XXI.

### EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1812.

His Excellency, Francis Gore, Esquire, Lieutenant-Governor, having obtained leave of absence, left for England in 1811, and did not return to Upper Canada until September, 1815. In the meantime the interim Governors, or Presidents, of Upper Canada were successively Major-General Isaac Brock, Major-General Roger Hale Sheaffe and Lieutenant-General Sir George Gordon Drummond. When the fourth session of the fifth Parliament met on the 3rd of February, 1812, war with the United States was impending. Sir Isaac Brock opened the session of the Legislature with the usual speech from the throne, in which he mainly dwelt on the question of the war, and the necessity of adopting "such measures as will best secure the internal peace of the country and defeat every hostile aggression." No reference in the speech was made to the subject of schools or education.

## 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1812.

The members of the House of Assembly who took part in the educational matters which came before it were:—Messieurs. Joseph Willcocks, Philip Sovereign, Thomas B. Gough, Benajah Mallory, David M. Rogers and James McNabb.

Lieutenant-Colonel John McDonell, Member for the County of Glengarry, was Attorney-General at this time, in succession to Mr. Firth, who had left for England in 1811. He was appointed Aide-de-camp to General Brock and was present with him at the Battle of Queenston, where both lost their lives. From Mrs. Edgar's "*Ten Years of Upper Canada, 1805-1815*," I gather the following particulars of his death:—"Lieutenant-Colonel McDonell was mounted and animating his men to charge. . . . McDonell, who was on the left of our party, most heroically calling on us to advance, received a shot in his body and fell."

. . . This heroic young man, the constant attendant of the General after his fall, strove to support to the last a cause never to be despaired of. . . . Lieutenant Archibald McLean, who was wounded in this battle, and to whom McDonell's last pathetic cry of 'Archie, help me!' had been addressed, was afterwards taken prisoner at Lundy's Lane, but lived to become Chief Justice of Upper Canada." (Pages 153, 156.)

On the 7<sup>th</sup> of February, 1812, Mr. Joseph Willcocks, seconded by Mr. Philip Sovereign, moved for leave to bring in a Bill, on Monday next, to repeal an Act passed in the forty-eighth year of His Majesty's reign (1808), intituled "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled 'An Act to establish Public (Grammar) Schools in each and every District of this Province.'" Leave was accordingly given.

10<sup>th</sup> February, 1812.—Read for the first time the Bill to repeal the District School Act.

Mr. Willcocks moved, seconded by Mr. Sovereign, that the Bill to repeal the District School Act be read a second time on to-morrow. Ordered accordingly.

11<sup>th</sup> February, 1812.—The Petition of the Inhabitants of the District of Newcastle, praying that the grant for Grammar Schools in the District be applied to Common Schools therein, was then read, and is as follows, to wit:—

To the Honourable Legislative Council and House of Assembly of the Province of Upper Canada, in their Legislative capacity assembled.

The Petition of the undersigned inhabitants of the District of Newcastle—

Respectfully sheweth:

That by an Act passed in the forty-seventh year of His Majesty's reign (1807) the sum of One Hundred Pounds was granted to establish a Public School, to be opened in the Township of Hamilton.

That your Petitioners find the said appropriation to be entirely useless to the inhabitants of this District in general.

Wherefore, your Petitioners pray that the said Acts of the forty-seventh and forty-eighth years of His Majesty's reign may be repealed, and that such other provision may be made to encourage Common Schools throughout this District as to you in your wisdom may seem meet. And, as in duty bound, they will ever pray.

(Signed), Richard Lovekin, Asa Burnham, Leonard Soper, Alexander Fletcher, and forty-eight others.

Township of Hamilton, 11<sup>th</sup> August, 1811.

An address *per contra* was presented, about the same time, to the Lieutenant-Governor, from the inhabitants of the Eastern District, of which the following part relates to Education:—

"We have seen provision made for giving the youth of the Province such a liberal education, as may not only qualify them for the learned professions, but also establish firmly in their

minds, the purest moral and religious principles, which shall enable them to give the most salutary direction to the general manners of the Province, and revive that ardent patriotism, for which their fathers have been so honourably distinguished.

The fruits of this noble measure, patronized and sanctioned by your Excellency, we begin already to enjoy; as many of the young men have left the schools crowned with literary honours and with the fairest promise of future worth.

Dated at Cornwall, this 9th day of October, 1811.

Another petition, from the Midland District, dated the 6th day of January, 1812, and similar in character to that from the Newcastle District, was presented to the Legislature in February, 1812. These petitions showed that there was a desire in these two districts, as well as in the House of Assembly for the repeal of the Public (Grammar) School Act of 1807.

The Petition of the inhabitants of the Midland District, praying that the Act by which provision for Grammar Schools has been made, but which fails to provide for the educational wants of "the middling, or poorer class of His Majesty's subjects" in the District, be repealed, and that "provision be made in the premises, as may be conducive to public utility," was then read, as follows:—

To the Honourable Legislative Council and House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled.

The Petition of the Subscribers, inhabitants of the Midland District—

Humbly sheweth:

That your Petitioners, without presuming to dictate to your Honourable Body feel themselves in duty bound to state that the Act passed in the forty-seventh year of His Majesty's reign (1807), intituled, "An Act to establish Public Schools in each and every District of this Province," which, by the repeal of its limitation, was rendered perpetual by the Act passed in the forty-eighth year of His Majesty's reign (1808), intituled, "An Act to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled, 'An Act to establish Public Schools in each and every District of this Province,'" is found by experience not to answer the end for which it was designed.

Its object, it is presumed, was to promote the education of our youth in general, but a little acquaintance with the facts must convince every unbiassed mind that it has contributed little or nothing to the promotion of so laudable a design. By reason of the place of instruction being established at one end of the District, and the sum demanded for tuition, in addition to the annual compensation received from the public, most of the people are unable to avail themselves of the advantages contemplated by the institution. A few wealthy inhabitants, and those of the Town of Kingston, reap exclusively the benefit of it in this District. The institution, instead of aiding the middling and poorer class of His Majesty's subjects, casts money into the lap of the rich, who are sufficiently able, without public assistance, to support a school in every respect equal to the one established by law. Your Petitioners forbear adducing any more facts to verify their representations. They cannot be persuaded that you will continue in force an Act proved by a fair experiment to be so partial in its operation, and so little calculated to effect the contemplated objects. Wherefore they pray, that so much of the Act first above mentioned may be repealed, and such provisions made in the premises as may be conducive to public utility. Your Petitioners, as in duty bound, will ever pray.

(Signed), Jacob Hess, Daniel Wright, Stephen Hess, John Trumpour, and sixty others.

Midland District, January 6th, 1812.

Read the District School Repeal Bill for the second time. Mr. Willcocks, seconded by Mr. Rogers, moved that the House resolve itself into Committee of the Whole, on Friday next, to take the same into consideration. Which was ordered accordingly.

*21st February, 1812.*—On this day was read a Petition from the inhabitants of the Midland District, which is almost a literal copy of the one presented and read on the 11th instant, the signers being Messrs. James Young, Gilbert Harris, Robert Young, Senior, Robert Young, Junior, and forty-one others.

*24th February, 1812.*—Agreeable to the Order of the Day, the House then went into Committee on the District School Repeal Bill.

Mr. Speaker having left the Chair, Mr. James McNabb was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. McNabb reported that the Committee had made some progress in the Bill. and had directed him to ask for leave to sit again to-morrow. Leave was accordingly granted for the Committee to sit again to-morrow.



*25th February, 1812.*—The House, agreeably to the Order of the Day, resolved itself into a Committee to take the District School Repeal Bill into consideration.

Mr. Speaker having left the Chair, Mr. McNabb was called to the chair of the Committee.

Mr. Speaker having resumed the Chair, Mr. McNabb reported that the Committee had gone through the consideration of the said Bill to which they had made several amendments, which he was directed to report to the House whenever it should be pleased to receive the same. Ordered, That the said Report be now received. The said Report was accordingly received. On motion of Mr. Joseph Willcocks, seconded by Mr. Willett Casey, Ordered, That the said Bill be engrossed and read a third time to-morrow.

*26th February, 1812.*—Read for the third time, as engrossed, the District School Repeal Bill.

On motion of Mr. Willcocks, seconded by Mr. Gough, Ordered, That the Bill do now pass, and that the title be "An Act to alter and amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled 'An Act to establish Public Schools in each and every District of this Province.'" The Bill then passed and was signed by the Speaker.

On motion of Mr. Willcocks, seconded by Mr. Mallory, Ordered, That Messieurs Rogers and Dorland do carry up to the Legislative Council the said Bill, and request their concurrence in passing the same, and also do carry up to the Legislative Council all Petitions now before this House relative to the said Bill.

Mr. Rogers, one of the Messengers named to carry up to the Honourable Legislative Council the Bill intituled, "An Act to alter and amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled, 'An Act to establish Public Schools in each and every District of this Province,'" reported that they had carried up the said Bill and the Petitions relating thereto to the Honourable the Legislative Council and did request their concurrence in passing the Bill.

## 2. PROCEEDINGS OF THE LEGISLATIVE COUNCIL ON THIS BILL.

*26th February, 1812.*—The Legislative Council met on this day, pursuant to adjournment. A deputation from the House of Assembly being announced, they were admitted, and brought up and delivered at the Bar of this House, and asked for its concurrence a Bill, intituled, "An Act to amend and alter an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled, 'An Act to establish Public Schools in each and every District of this Province.'" The Bill was accordingly read a first time, and ordered to be read a second time to-morrow.

*3rd March, 1812.*—The House met pursuant to adjournment on this day. On motion made and seconded, the following (among other Bills) was ordered to be read a second time this day three months:—"An Act to alter and amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled, 'An Act to establish Public Schools in each and every District of this Province.'"

NOTE.—Thus the District (Grammar) School Repeal Bill, sent up from the House of Assembly, was again rejected by the Legislative Council. No further educational proceedings by the Council are reported in its Journal of 1812. On the 6th of March, His Honour President Sir Isaac Brock prorogued the Legislature with the usual Speech from the Throne. It was brief, and the impending war with the United States was the only topic to which reference was made by the President and Commander-in-Chief.

## CHAPTER XXII.

## MISCELLANEOUS EDUCATIONAL PAPERS, 1811-1814.

There is a break in the continuity of the records of the proceedings of the Legislature of Upper Canada for 1813. No copy of these proceedings has been preserved, so far as I know, or is to be found in the Parliamentary Libraries at either Ottawa or Toronto.

I insert, therefore, in this place, a few miscellaneous papers, relating to libraries, education and schools in Upper Canada, which may prove interesting, as throwing some light on the social and intellectual state of the country at the time, and during the years mentioned.

## THE ERNESTOWN ACADEMY AT BATH, 1811.

It may be that the feeling of dissatisfaction with the Grammar School Act of 1807, to which expression is given in the Petition from the Midland District, presented to the House of Assembly on the 11th day of February, 1812, which influenced the inhabitants of Ernestown to establish an independent Academy at Bath, in the same district, in the preceding year.

The Petition from the Midland District was dated the 6th of January, 1812, while the appeal of those who established the Bath Academy is dated the 11th of March in the previous year. A petition, somewhat similar, was presented to the House of Assembly from the adjoining County of Newcastle, dated the 11th of August, 1811. The Petitioners of the Midland District, in addressing the House of Assembly, said that they felt—

Themselves in duty bound to state that the [Grammar School Act of 1807] . . . was rendered perpetual by the Act passed in [1808], . . . Its object, it is presumed, was to promote the education of our youth in general, but . . . by reason of the place of instruction being established at one end of the District, and the sum demanded for tuition . . . [was such] that most of the people are unable to avail themselves of the advantages contemplated by the institution. . . . A few wealthy inhabitants [in the District], and those of the Town of Kingston, reap exclusively the benefit of it [the Grammar School] in this District. . . .

These were, no doubt, the reasons which induced the promoters of Bath Academy to provide means of education for their children nearer home than was Kingston. Hence the following prospectus of the Academy was issued by them :

The subscribers hereby inform the friends of learning that an Academical School, under the superintendence of an experienced preceptor, is opened in Ernestown, near the Church, for the instruction of youth in English Reading, Speaking, Grammar and Composition ; The Learned Languages—Greek and Latin ; Penmanship, Arithmetic, Geography and other branches of Liberal Education. Scholars attending from a distance may be boarded in good families on reasonable terms, and for fifteen shillings a year (\$3), can have the use of a valuable Library.

Robert McDowel, William Fairfield, Benjamin Fairfield, Solomon Johns, William Wilcox, Samuel Neilson, George Baker, Thomas Lees.  
Ernestown, the 11th of March, 1811.

The "experienced preceptor," referred to in this address, was Mr. Barnabas Bidwell, a native of Massachusetts, who had held high office in that State, and had been a College tutor there. He had removed to Upper Canada in 1803 or 4. The Academy became noted for its excellence, and held a high place as an educational institution. Amongst its most noted pupils was a son of the Preceptor, Marshall Spring Bidwell. As the war at the time with the United States progressed, all public interest centred in its successful prosecution. As a consequence, schools were deserted and languished. As, with others, so did the Bath Academy. The building was used as a barrack, but was afterwards restored to its original purpose.

Mr. Bidwell, the Master, removed to Kingston, and, in 1821, was returned to the House of Assembly for the Counties of Lennox and Addington. Under the alien law then in force, the House of Assembly refused to let Mr. Bidwell take his seat. At the subsequent election in 1824, Marshall, his noted son, was elected for the same counties. He, too, under the same law was refused his seat, but in that year the law was repealed, and Marshall was again returned in 1825, as he was also in 1829 and 1831. He was twice elected Speaker of the House of Assembly. In 1836, he was defeated, and then retired from public life. He removed to New York in 1837, and became there an eminent Counsellor-at-Law. He died in 1872. His father died in 1834.

#### MEMBERS OF THE LEGISLATIVE COUNCIL FROM 1792 TO 1812.

1792.—The Legislative Council, as constituted this year, consisted of the following Members :—

The Honourables William Osgoode, Chief Justice, *Speaker*, Peter Russell, Alexander Grant, Robert Hamilton, Richard Cartwright, Junior, James Baby, Æneas Shaw, and John Munro. Major-General John Graves Simcoe, Lieutenant-Governor.

1793.—The Honourable Richard Duncan added to the Council.

1794 to 1797.—There are no Parliamentary records preserved. Lieutenant-Governor Simcoe left Canada in 1796, and the Honourable Peter Russell became President.

1798.—The Honourable John Elmsley, Chief Justice, *Speaker*. Members remained the same.

1799 to 1802.—Members remained the same. Major-General Hunter, Lieutenant-Governor.

1803.—The Honourable Henry Alcock, Chief Justice, *Speaker*. Members remained the same.

1804.—Members remained the same.

1805 to 1806.—The Honourable Richard Cartwright, Junior, *Speaker*. Members remained the same. The Honourable Alexander Grant, *President*.



1807 to 1811.—The Honourable Thomas Scott, Chief Justice, *Speaker*. Members remained the same. Francis Gore, Esquire, Lieutenant-Governor.

1812.—The Honourable William Claus added to the Council. Sir Isaac Brock, *President*.

#### BOOKS FOR SALE BY W. W. BALDWIN.

The following was issued by Dr. William Warren Baldwin, as agent for the then Attorney-General, who had left for England. It was in the shape of an advertisement, or "notice," as follows:—

The subscriber begs leave to inform the public that attendance will be given every Saturday during the approaching session of the Provincial Legislature, from eleven o'clock till three, at the library of William Firth, Esq., at the house in which he resided at York, when his elegant and extensive collection of books will be exposed to sale by private contract, on the most reasonable terms.

It is needless to remark that this very extensive library offers ample gratification to the historian, the politician, the divine, the poet, the lawyer, the naturalist and novelist. There is also a rich collection of all the most celebrated Greek and Latin classics.

It is the intention of the subscriber to send all the books remaining unsold in the spring to Lower Canada.

YORK, 14th January, 1812.

W. W. BALDWIN, Agent for W. Firth.

#### PENMANSHIP TAUGHT BY PRACTICAL LECTURER.

In the "Story" of the Life of the Rev. Dr. Ryerson, published in 1883, mention is made of the fact that some of the branches of education were undertaken by itinerant teachers or lecturers. From such a person he was instructed in the mysteries of English grammar, etc. Among the advertisements issued by one of these peripathetic teachers is the following, copied from a local paper published in Kingston in 1812. It was as follows:—

Penmanship taught by the subscriber, upon a new, improved and systematic plan, being a short and easy way to acquire a fair and plain handwriting in a short and simple manner.

There being many who are destitute of writing who have grown to the state of manhood, an opportunity is now presented to them to improve themselves in penmanship, in a course of fifteen exercises, only one hour and a half at each.

Specimens showing the improvement of those who have been instructed to their perfect satisfaction may be seen at the subscriber's school room, where gentlemen are invited to call and satisfy their curiosity.

The subscriber has opened his writing school this day, at the house of Mr. Henry Baker

KINGSTON, February 18th, 1812.

N.B.—The subscriber will attend ladies and gentlemen desirous of improving their hand writing at their apartments, for a reasonable compensation.

CHARLES MACDONELL, Instructor of Writing.

#### EDUCATION OF MILITIA MEN IN KINGSTON, 1812.

During the war of 1812, many of the young men of Upper Canada had left school and were enrolled for active service. As winter approached, and military operations were suspended, the various military companies or battalions were placed in winter quarters. A number were, therefore, sent to Fort Henry, at  
6 (D.E.)

Kingston, and were there subjected to the usual military drill and discipline. This being the case, the following notice was inserted in the *Kingston Gazette* :—

It has been lately suggested that, as many of those young men from the country who are here attending military duty, have still a considerable portion of their time unemployed, some plan ought to be devised which would enable them to devote a part of it to the improvement of their minds.

The following proposal is, therefore, submitted to their consideration, and to the consideration of those who have any influence with them, or any interest in their improvement, viz. :—

One of the rooms in the public school house will be exclusively appropriated to the use of the young militiamen from the country.

This will be furnished with desks, benches, a stove and fuel, free of all expense. Here they shall be instructed—according as the state of the progress which they have made may admit—in English reading, English grammar, writing, book-keeping, geography and in practical mathematics, with their most useful applications to the mensuration of surfaces and solids, heights and distances, land surveying, etc.

*Conditions of Admittance.*—Such regular attendance as circumstances will possibly allow, and vigorous, ardent application.

Should it so happen that any of those who are disposed to accept of this offer may not, from the calamities of the times, be in a situation to provide themselves with books and other necessities for school, let not this discourage them. All of this description will, with pleasure, be furnished with pens, ink, writing paper, slates, school books, etc., void of charge.

As not more than fifty persons can be admitted at once, the preference will consequently be given to those who first apply.

The persons making this proposal beg leave further to add, if health and other circumstances permit, no care, nor labour, nor reasonable expense will be spared on their part to carry the plan into complete effect.

The advantages to be derived from such a course, if ably conducted, are believed to be neither few nor inconsiderable.

It will afford to those who engage in it with ardour a constant source of rational amusement, which will in some degree alleviate the toil, and remove the irksomeness of a laborious service. It will, by directing the attention in a proper channel, prevent them from contracting habits of idleness and dissipation, which, when once confirmed, are with such difficulty eradicated. It will, by improving their understandings, and enlarging the sphere of their active powers, enable them to act their part in after life with more honour and advantage, both to themselves and to their friends.

Above all, it will tend to lay such a foundation of useful knowledge, and excite such a taste for rational enquiry as can scarcely fail to render them both more happy in themselves and more useful members of society.—PUBLIC SCHOOL, KINGSTON, 30th November, 1812.

#### LIBRARY PRESENTED TO ERNESTOWN IN 1813.

The following is from the *Kingston Gazette* of June the first, 1813 :—

The Rev. John Langhorn,\* of Ernestown, who is about returning to England, his native country, has presented a valuable collection of books to the Social Library established in the Village of Bath.

The Directors have expressed to him the thanks of the Proprietors for his liberal donation. Many of the volumes are very elegant, and, it is to be hoped, will for many years remain a memorial of his liberality and disposition to promote the diffusion of useful knowledge among a people with whom he has lived as an episcopal missionary for more than twenty years.

\*Rev. Ernest Hawkins, in his "*Annals of the Colonial Church, Diocese of Toronto*," thus refers to Mr. Langhorn :—Among the early missionaries in Canada was the Rev. John Langhorn. He was educated at St. Bee's College, Cumberland. The Society for the Propagation of the Gospel appointed him to a district of the Rev. Dr. John Stuart's Mission. He arrived at Cataragui late in September, 1787. The total number of souls of all denominations committed to his charge was 1,500. He preached the first sermon on Amherst Island in 1793. After 25 years service as a missionary, he returned to England in 1813. During his ministry he procured the erection of a church at Bath, on the Bay of Quinte, 18 miles from Kingston, and a log chapel at Fredricksburg. (Page 27-45.)

During that period his acts of charity have been frequent and numerous, and not confined to members of his own church, but extended to indigent and meritorious persons of other religious denominations.

Many who have shared his bounty will have reason to recollect him with gratitude and to regret his removal from the country.

#### EASTERN DISTRICT SCHOOLMASTER IN 1814.

PRESIDENT'S OFFICE, UPPER CANADA,

KINGSTON, 31st May, 1814.

His Honour, the President of Upper Canada, George Gordon Drummond, Esquire, has been pleased to appoint the Reverend W. D. Baldwyn B.A., to be teacher of the public school in the Eastern District, from the 6th instant, *vice* Rev. John Bethune, resigned.

#### KINGSTON PUBLIC (GRAMMAR) SCHOOL, 1814.

The anticipated closing of the Kingston Public School, taught by Mr. John Whitelaw, is thus regretfully commented upon in a letter signed "Junius":—

KINGSTON, 20th June, 1814.

*To the Editor of the Kingston Gazette:—*

MR. EDITOR,—We are now, I understand, in danger of losing one of the greatest blessings we have for some time enjoyed, the advantages of a public school, advantages we are not sufficiently sensible of possessing till we are, as at present, on the point of being deprived of them.

The innumerable miseries and distresses which necessarily attend such a war as this we are now in have been severely experienced in most parts of this Province. Still the situation of the inhabitants of Kingston has been somewhat ameliorated by the steady, persevering ardour with which the public school has been conducted.

It must be peculiarly gratifying to the public in general to see how completely the plan of government has been carried into effect in the institution of public schools throughout the Province.

The success which this school, in particular, has met with, has exceeded the most sanguine expectation. Youths not yet sixteen have gone as far as equations in algebra—by no means imperfectly—and are well versed in the principles of geometry, and the theory and practice of plain trigonometry. Their progress in Greek and Latin is not less surprising.

I am not intimately acquainted with Mr. John Whitelaw, but I am no stranger to his abilities and the many advantages the public enjoy from his being continued in the highly responsible station which he now fills.

I must likewise be allowed to say that I think the school has not received that patronage, and has not been countenanced with that warmth it enjoyed before the commencement of hostilities. Besides this, the situation of the school has for some time past been peculiarly disagreeable by the neighbourhood of the block houses, and the quarters of the troops. Children of both sexes have been obliged to witness scenes the most indecent and have their chaste ears every day insulted by the coarsest language.

There is scarcely anything of more consequence in forming the moral character of children than a proper regard and attention to decency. Decency, quiet, and a public school should be synonymous.

I hope sincerely that Mr. Whitelaw, the teacher, will not think of leaving Kingston, and thereby rendering the horrors of war more severe from the consequent idleness of children, and the inability of a great many to send them any distance to seek their education.

#### PRINGLE'S YOUNG LADIES' SCHOOL IN KINGSTON.

Mr. and Mrs. Pringle propose opening a school for the reception of young ladies, in which they will be instructed in the following branches, viz.:—Reading, writing and plain needle-work, at £1 10s. per quarter. English grammar, arithmetic and fancy needle-work, at £2 10s. per quarter. History, geography and drawing, at £3 10s. per quarter.

The school will commence on Monday, the 3rd October, and the tuition fees are payable in advance —KINGSTON, 30th September, 1814.



## CIRCULATING LIBRARY IN KINGSTON, 1814.

The public are informed that a small circulating library is opened in this town and made accessible to all classes of the community, on the most reasonable terms.

Those who wish to take out books will please call either on Monday, Thursday or Saturday, between the hours of one and three o'clock, at which time due attention will be paid to all who may be disposed to become subscribers.

There is also left at the office of the library a large number and a considerable variety of children's books, and useful tracts to be exchanged either for clean rags or cash.

Rags enough might be saved in every family to furnish the family with books, and stationery, and it is hoped that no person will be ashamed to engage in saving an article so much needed.

## STATE OF LEARNING IN UPPER CANADA IN 1814.

The greater part of the inhabitants of Canada are not well educated, for as they were poor when they came to the Province, and the country being but thinly settled for a number of years, they had but little chance for the benefit of schools.

But since the country has become more settled and the inhabitants rich or in a good way of living, which is almost universally the case, they pay considerable attention to learning. Ten dollars a year is the common price given for the tuition of each scholar by good teachers.

Until lately there was no good Latin or Greek school kept in the Province. Now there are three—one in York, taught by Mr. Strachan, the Episcopal Minister of that place; one on the Bay of Quinté, by a Mr. Barnabas Bidwell, from the United States, and the other in Niagara Village, by the Rev. Mr. Burns.

Good encouragement would be given in many other parts to teachers of such schools, particularly in the Niagara and London Districts.

Notwithstanding I said that the main body of the inhabitants were not well educated, yet there are a number of gentlemen in the Province who have the best of learning. There is a public free school kept in every district, by order of the King (under the Act of 1807), the teachers of which receive annually one hundred pounds sterling from the Crown.—*Geographical View of the British Possessions in North America*, by M. Smith, Published in Baltimore, Maryland, 1814.

## OPENING OF KINGSTON PUBLIC (GRAMMAR) SCHOOL, 1815.

The Public School in this place will commence on Tuesday, the 12th of September, instant.

During several years past much unnecessary labour has been occasioned to the teachers, and much time irrecoverably lost to the scholars, from their being often detained at home by their parents and guardians. In many instances the excuses assigned have been very unsatisfactory, and in others altogether ridiculous and absurd.

To put an end, therefore, to a practice so inconsistent, both with common sense and the interest of all parties concerned, parents and guardians are requested not to detain (without positive necessity) any scholar from regularly attending school.

In future no excuse for absence will be received unless it appears to have been unavoidable. None, therefore, need apply for admittance except they agree to the above request.

KINGSTON, September 5th, 1815.

## CHAPTER XXIII.

## EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1814.

Sir GORDON DRUMMOND, as Administrator, opened the third session of the Sixth Parliament of Upper Canada on the 15th of February, 1814, with a speech of some length, chiefly relating to the war with the United States, then in progress. No reference to schools, or education, was made, as the war question and that of defence was uppermost in everyone's mind.

MEMBERS OF ASSEMBLY WHO TOOK PART IN EDUCATIONAL LEGISLATION, 1814.

The members of the House of Assembly who took part in the school legislation of 1814 were Messieurs Mahlon Burwell, John Crysler, Isaac Swayze, Benjamin Fairfield and James Young.

Mr. MAHLON BURWELL represented the Counties of Oxford and Middlesex in 1813, 1817 and 1820, Middlesex in 1831 and the Town of London in 1836. He was born in the State of New Jersey, but came to Upper Canada in 1796, with his father, Mr. James Burwell. They settled first at Fort Erie, then at Long Point, and finally removed to the Talbot Settlement in 1810. Mahlon Burwell was near neighbor, and for a long time right-hand man, of the noted Colonel Talbot, of Port Talbot. He was a surveyer by profession, and, in 1810, surveyed the Townships of Malahide, Bayham, and part of the then Village of London. Colonel Ermatinger, in his life of Colonel Talbot, says of him :—

Colonel Burwell's industry and perseverance long enabled him to hold a high place in the minds of the people of the Talbot Settlement. . . . As a politician he was consistent, and for many years retained the confidence of the people. . . . He was tall in stature, and dignified in appearance. He was first elected in 1813 member for the united counties of Middlesex and Oxford, in opposition to the well-known Mr. Benajah Mallory. (See page 50) . . . The contest was keen and sustained with great spirit. . . . The election was held at the log house of David Secord, and the electors had to encamp in the woods, so few were the habitations in those days. . . . To the Town of London [which Colonel Burwell afterwards represented] he gave a plot of ground of considerable value for a park or garden, besides making gifts of various kinds for educational and other purposes. (Chapter IV., Pages 32-37.)

Mr. BENJAMIN FAIRFIELD became a member of the House of Assembly for the County of Addington in 1813. His father, Mr. William Fairfield, represented the County of Addington in 1797. The names of both of them are attached, as Trustees, to the prospectus of the Ernestown, (Bath), Academy, issued in 1811. (See page 79.)

Of the other Members who are mentioned above, and who took part in the proceedings relating to schools and education, little is known. I have not been able to obtain any reliable information in regard to them. They, however, did good service in their day in promoting the cause of education in the Legislature of this Province, and in thus aiding to keep alive public interest in the matter.

1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1814.

*25th February, 1814.*—Mr. Mahlon Burwell gave notice that he will, on Wednesday next, move for leave to bring in a Bill to repeal the law now in force establishing Public (Grammar) Schools in each and every District of this Province.

*26th February, 1814.*—Mr. Burwell, seconded by Mr. John Crysler, moved for leave to withdraw his notice of yesterday's date, to bring in a Bill to repeal the law now in force establishing Public Schools in each and every District of this Province, on Wednesday next, and that the fifth rule of this House, requiring one day's previous notice, be dispensed with so far as to enable him to bring in the said Bill this day, which was carried in the affirmative, and the Bill was read a first time.

Mr. Burwell, seconded by Mr. Swayze, moved that the fifth rule of this House with respect to the Bill for repealing the District School Act, be dispensed with, and that the Bill be now read a second time, which was carried in the affirmative, and the Bill was read a second time.

Mr. Burwell, seconded by Mr. Fairfield, moved that the House do, on Monday next, resolve itself into a committee to take into consideration the Bill to repeal the District (Grammar) School Act, which was carried in the affirmative.

*2nd March, 1814.*—Agreeably to the Order of the Day, the House went in a Committee on the District (Grammar) School Repeal Bill, Mr. James Young in the chair.

Mr. Speaker having resumed the Chair, Mr. Young reported progress and obtained leave to sit again to-morrow.

*3rd March, 1814.*—Agreeably to the Order of the Day, the House went into Committee of the Whole on the District School Repeal Bill, Mr. Young in the chair.

Mr. Speaker having resumed the Chair, Mr. Young reported the Bill as amended. Ordered, That the report be now received.

*4th March, 1814.*—Agreeably to the Order of the Day, the District School Repeal Bill was read the third time. Mr. Burwell, seconded by Mr. Crysler, moved that the said Bill do now pass, and that it be intituled, "An Act to repeal an Act passed in the forty-seventh Year of His Majesty's Reign (1807), intituled 'An Act to establish Public Schools in each and every District of this Province,'" which was carried, and the Bill was signed by the Speaker.

Mr. Burwell, seconded by Mr. Crysler, moved that Messieurs James Young and Alexander McMartin be a Committee to carry up to the Honourable the Legislative Council the Bill to repeal the Public (Grammar) School Act, and request their concurrence thereto, which was carried in the affirmative.

Mr. Young, from the Committee named to carry up to the Hon. the Legislative Council, a Bill for the repeal of the Public (Grammar) School Act, reported that they had done so.

## 2. PROCEEDINGS OF THE LEGISLATIVE COUNCIL ON THIS BILL.

*4th March, 1814.*—The Legislative Council met pursuant to adjournment. A deputation from the House of Assembly was announced, and it was ordered to be admitted. The deputation brought up the following, among other Bills, and asked that it be concurred in by this House, viz. :—

"An Act to repeal an Act passed in the forty-eight Year of His Majesty's Reign (1808), intituled, 'An Act to amend an Act passed in the forty-seventh Year of His Majesty's Reign (1807), intituled An Act to establish Public Schools in each and every District of this Province,'" which Bill was read a first time and ordered to lie on the table. (NOTE.—It was not taken up afterwards during the Session.)

The purpose of this legislation was designed by the House of Assembly to limit the duration, by its repeal, of the Public, (*i.e.*, Grammar,) School Act of 1807. The House of Assembly had been, during the last few years, persistent in its efforts to have this Act repealed, and the Legislative Council was equally persistent in refusing to assent to this repeal.

The reason for this persistence on the part of the House of Assembly is fairly and temperately stated in a petition from the Midland District, presented to the House of Assembly, with a somewhat similar one from the adjoining District of Newcastle, during the session of 1812. (*See pages 76-77.*)

While the Legislative Council thus refused to assent to the repeal of the Grammar School Act of 1807, it sought, at the instance of the Honourable Richard Cartwright, to extend its operations, and thus to give it a wider scope. A Bill to this effect passed the Legislative Council in 1811, but the House of Assembly refused its concurrence in the measure. The Legislative Council was equally decided in refusing its assent to the repeal of the Public (Grammar) School Bill of the House of Assembly during the same session. Thus an educational deadlock occurred between the two Houses in 1811.

The consequence of this state of things was that a desire to establish private academies and schools arose in several places. The Ernestown (Bath) Academy was the first decided movement in that direction. The Midland District School



Society was also formed in 1814-15. Nevertheless, the Grammar School Act of 1807 remained on the Statute Book, with some modifications, until 1853.

The House of Assembly did not, however, relax its efforts to repeal the Act of 1807, nor did the Legislative Council cease to promote the passage of a more expansive Grammar School Act, so as to meet the growing want of the community for more schools. The result was that an understanding was gradually arrived at in both Houses to meet the demand for elementary schools, and they finally agreed to do in 1816, (what should have been years before), and that was to pass an Act designed to supply a want long felt in the establishment of primary schools throughout the Province.

It took time, however, and much discussion arose before so desirable a result was brought about. What was done in this direction in the Legislature of 1815 is not definitely known, as no record of the proceedings of either House has been preserved, or is in the Parliamentary Library at Ottawa or in Toronto.

The subject came up, however, in the House of Assembly, during the session of 1816. Governor Gore's speech at the opening of the Legislature of that year contained a formal reference to the Act of 1807. This part of his speech was referred to a Select Committee of the House, which, in a series of resolutions dealt with the whole question of the comparative advantages of grammar and common schools. The result was the passage of the first Common School Act of Upper Canada, in 1816.

#### PERSONAL SKETCHES OF PRESIDENTS OF UPPER CANADA, 1812-1815.

There being no record of the proceedings of the Legislature of Upper Canada for 1815 available, I insert in its place the following personal sketches of the Presidents of Upper Canada who acted as such in 1812-1815:—

During the years 1805-1815, there had been frequent changes of Governors in Upper Canada. Francis Gore, Esquire, held office from 1806 until 1811, when, having obtained leave of absence, he returned to England and remained there until 1815. He was succeeded as President by Sir Isaac Brock, who fell at Queenston Heights in October, 1812, after a brief Presidency. Sir Roger Hale Sheaffe held the office as President and Commander-in-Chief. He was succeeded by Count de Rottenburg, also as President, in 1813. In that year Sir George Gordon Drummond was appointed, first as President, and then as Lieutenant-Governor. In 1815, Sir George Murray and Sir Frederick Phillipse Robinson succeeded each other as Presidents of Upper Canada until the arrival of Governor Gore.

Major-General Sir ISAAC BROCK, "the Hero of Upper Canada," was born in the Island of Guernsey, in 1769—the same year in which Napoleon and Wellington were born. He entered the army in 1785. In 1799, he served under Sir Ralph Abercromby in Holland, and in 1801, under Lord Nelson, at Copenhagen. In 1802, he came to Canada, and served at Montreal, York (Toronto), Niagara and Quebec. In 1803, he crossed from Toronto to Niagara in an open boat,

thence around by Hamilton to intercept deserters from Fort George, whom he captured. In 1804, he took command at the Fort, and in 1806, to prevent desertions, he suggested the formation of a service battalion. In 1807, such a battalion was sent out. In 1812, he held the office of President of Upper Canada during the absence of Governor Gore in England. On the 16th of August, 1812, he made an attack on Detroit, and caused the American General, Hull, to surrender, with 2,500 men. On the 13th October, 1812, while gallantly leading his men to charge the Americans on Queenston Heights, he fell early in the action, aged 43. Sir Roger Sheaffe then took command.

Sir ROGER HALE SHEAFFE was a native of Boston, Massachusetts, and was born there in 1763. He was the son of His Majesty's Collector of Customs there. He entered the army in 1778. He served in Ireland and in Canada in a civil and military capacity during the years from 1778 to 1797. He afterwards served as Colonel and Major-General in Holland, etc., and, in 1812, was again transferred to Canada. In 1813 he succeeded General Brock, and became Administrator of the Government, until he was relieved by General de Rottenburg. He died in 1851.

Count FRANCIS DE ROTTENBURG served in the British army about twenty years before he was transferred to Canada. He held command in Lower Canada from 1810 to 1812, and in Upper Canada in 1813, when he succeeded General Sheaffe. He returned to England at the close of the war, and died there in 1832.

Sir GEORGE GORDON DRUMMOND was born at Quebec in 1771, while his Father held the post there of Paymaster-General of the Forces in Lower Canada. He served on the staff, and had command of the forces in Lower Canada in 1811. In 1813, he took command of the forces in Upper Canada, under Sir George Provost. After a variety of eminent services in Upper Canada, in 1814, he succeeded Sir George Provost, (after his failure at Plattsburgh), as Administrator of the Government of Lower Canada, and Lieutenant-General and Commander-in-Chief of the Forces. He retired from Canada in 1818. Drummondville, now Niagara Falls South, was named after him, he having had command of the victorious British forces at the notable battle of Lundy's Lane, near by, on the 25th of July, 1815. He died in 1854, aged 84 years.

Sir GEORGE MURRAY succeeded Sir Gordon Drummond for a short time, and then returned to join the British army in France, after the escape of Napoleon from Elba. He died in 1846, aged 74.

Sir CHARLES FREDERICK PHILLIPSE ROBINSON was the son of Colonel Beverley Robinson, a United Empire Loyalist of New York. He entered the army, and served in the American colonies during part of the Revolutionary War. In 1813, he became Major-General, and came to Upper Canada as Commander-in-Chief. In July, 1815, he became President of Upper Canada, in succession to Sir George Murray. He remained in office until the return of Lieutenant-Governor Gore in 1815. He died in 1852.

## CHAPTER XXIV.

## THE MIDLAND DISTRICT SCHOOL SOCIETY, 1815.

The House of Assembly having failed in its efforts to substitute a Common School Act for the one establishing a Grammar School in each District, a movement was made in Kingston in 1814-1815 to supply the want of elementary schools in that neighborhood. The popularity at the time of the Lancasterian system of educating children, so much in use in England, added greatly to the zeal of those who joined themselves together to form the Midland District School Society, for the promotion of education on that system. The Society were prompted to action in this matter by an organization in London, which had been formed there to promote "the education of the poor in Upper and Lower Canada."

A brief sketch of the Lancasterian system may be appropriate in this place : Joseph Lancaster, its founder, was born in Southwark, England, in November, 1778. His father was a Chelsea pensioner, who had served in the British army during the American war. At the age of eighteen Joseph was an assistant at two schools, one a boarding, the other a day school ; and thus, as he afterwards states in a letter to Dr. Bell,\* he became acquainted with all the defects attendant on the old system of tuition in both kinds of schools. He took up the Rev. Dr. Bell's Madras system, and improved one or two of its details. The combined system of monitorial and systematized teaching was known as the "Bell and Lancaster System." As it became popular, an association was formed, in England, originally entitled "The Royal Lancasterian Institution for Promoting the Education of the Children of the Poor," and subsequently, for the sake of greater simplicity and brevity—the British and Foreign School Society, Borough Road, London. The chief feature of the system, taken from Dr. Bell's, was its monitorial character, and that with Lancaster's judicious mingling of religion, amusement and instruction, gave it popularity. In good hands it was a success, being new ; but as monitors and managers were not always judicious, it fell into disuse after a time, especially after his death in 1838.

Lancaster lectured on his system in England, under the patronage of George III., who, at one interview with him, uttered that memorable saying, so often quoted :—"Lancaster, I highly approve of your system, and IT IS MY WISH THAT EVERY POOR CHILD IN MY DOMINIONS SHOULD BE TAUGHT TO READ THE BIBLE."

He also visited the United States, the West Indies and Lower Canada. The Legislature of that Province voted to him several grants for educational purposes, and his scheme was widely popular during most of his life time.†

\*Rev. Dr. Bell is better known as the founder of what was known as the "Madras (or Monitorial) System," he having in 1787 introduced into the Military Male Orphan Asylum in Madras great improvements in the educational management of that institution, chiefly in the matter of self-education and a kindly yet firm mode of discipline. Out of his system grew the scheme of the Church of England "National Schools." (See *Journal of Education for Upper Canada, volume IV., 1851.*) Pages 162-164.

†*Journal of Education for Upper Canada, volume IV., (1851).* Pages 177, 178.



Early in the year 1815, the Midland District School Society was organized, and soon afterwards a subscription paper was circulated, which resulted in the collection of £447.10.0 towards the building of a school house for the Society. Among the names of the subscribers for sums varying from \$10 to \$50 were the following :—Sir Gordon Drummond, John White law, Thomas Markland, Samuel Ayleroyd, Rev. Thaddeus Osgoode and Peter Smith, \$50 each ; Rev. Dr. Stuart and Charles Stuart, \$40 each ; James Richardson, Senior, Francis Carlisle, George Douglass, Smith Bartlett, Oliver Thibodo, Patrick Smith, Richard Smith & Son, and George H. Markland, \$30 each ; Commissary-General Sir James L. Yeo, Colonels Joel Stone, Myers and Harvey ; Major Glegg, Town Major Corbett, John Kirby, Laurance Herchmer, William Couch, Christopher A. Hagerman, William Lard, T. Strickland, Hugh C. Thompson, Allan McPherson, Henry McNally, Samuel Merrill, Senior, William Armstrong, Andrew Brandish, Allan McLean, Stephen Miles, William Mitchell, J. Abbot, John Size, Benjamin Olcott, James Robinson, Thomas Chatt, John McLean, John Baillie, James Geddes, George Harpham, Peter Grant, Andrew Denike and Aaron Carnahan, \$20 each ; and 50 other subscribers at \$10 each.

#### PROSPECTUS OF THE MIDLAND DISTRICT SCHOOL SOCIETY, 1815.

On the 15th of July, 1815, the Midland District School Society issued the following under the head of :—

“Proposals, for erecting a school house in this town, for the accommodation of all the children of both sexes, unprovided with the means of education,” etc. :—

We, the subscribers, promise to pay the sums annexed to our respective names, for the accomplishment of this important object, on consideration that the Legislature will grant to the Trustees who may be chosen by us, the privilege of holding property and transacting business according to law.

This establishment shall be held in shares of ten dollars each. The proprietor of each share shall have the liberty of voting in all meetings of the subscribers, and shall have the privilege of sending one child, to be instructed at the school ten per cent. cheaper than the children of non-subscribers are admitted. And provided that any person take two or more shares in this establishment, the same privileges will be granted for each share.

The plan of instruction to be adopted, shall be that which has been found most successful in Great Britain and Ireland.

Great attention shall be paid to the morals of the children, but no interference shall ever take place in the school respecting catechisms and religious creeds.

All the children shall be requested to attend divine worship, at such times and at such places as their parents and guardians shall direct.

The Trustees shall be chosen annually, by whom school instructors shall be provided, and all necessary business with respect to the school transacted.

The system on which the Midland District Society proposed to manage their schools was the Lancasterian, then very popular in England. It was in operation in Montreal, and in October, 1814, the Rev. Thaddeus Osgoode, (one of the promoters and shareholders of the Midland District Society), was sent to England to obtain the services of a teacher of the new Lancasterian system. His return was, thus reported in the *Kingston Gazette*, of October, 1814 :—

The Rev. Mr. Thaddeus Osgoode, who visited England for the purpose of procuring the measure of relieving and instructing the industrious poor of this country, has, we understand,

arrived at Quebec with a school master who is well qualified to conduct a school on the newly invented and most improved Lancasterian plan of education, which has been honoured with the patronage and support of many of the most distinguished characters in England, Scotland and Ireland, and which has proved extensively useful to thousands of poor children.\*

It appears that there is a respectable Board of Trustees formed in London, England, in whose hands is deposited a fund to be appropriated to this benevolent purpose.

After the money had been subscribed, but not collected, the Society met and passed a series of resolutions, as follows, viz. :—

1. That a school house be built in Kingston sufficiently large to accommodate 400 children. It shall be constructed of durable materials, under the direction and management of the twelve trustees, who may be chosen annually by the subscribers.

Resolved—2. That we respectfully petition the Legislature of this Province for an Act of Incorporation, empowering the Trustees to hold property for the benefit of the school, and transact business according to law.

Resolved—3. That this house which is to be erected be completely under the control and subject to the management of the Trustees, and the plan of instruction adopted in it be the same which is adopted by the British and Foreign School Society in London, which is patronized by the Prince Regent and several branches of the Royal Family.

Resolved—4. That the Rev. Mr. George Okill Stuart, and Messieurs Allan McLean, Thomas Markland, Lawrence Herchmer, Peter Smith, John Kirby, Thomas Strickland, George Markand and Colonel Hagerman, be a Committee of Arrangement for presenting a petition to Parliament, and to take the necessary steps for carrying the design into operation.

The following is a copy of the petition which was sent by the Committee of Arrangement to the Legislature :—

*To the Honourable, the Speaker, to the Honourable, the Members of the House of Assembly in Provincial Parliament assembled.*

The petition of the Committee in behalf of the subscribers for the establishment of a School Society for Upper Canada, humbly sheweth :

We the subscribers, beg leave to represent to your Honourable House, that a society of respectable and benevolent characters in London has been formed, who have raised, by subscription, a sum of money, and thereby have established a fund for the purpose of promoting the education and moral improvement of the youth of every religious denomination in the Canadas.

We further represent to your Honourable House that the subscribers for the above beneficial and laudable object have appointed Trustees in London for the management and disposal of their fund designated “*The Committee for Promoting the Education of the Poor in Upper and Lower Canada,*” whose professed object is to send out teachers for the more general diffusion of instruction throughout this Province.

We furthermore represent that the teachers sent out to this Province, by introducing a new system of education, will be able to embrace a much larger number of pupils within their schools than by the present established mode of education they can receive, and also, that the expense incurred by this plan of instruction is very much lessened.

We further represent to your Honourable House, that from a desire to avail ourselves of the services and labours of a teacher, and to co-operate with the London Committee in aiding and promoting their benevolent views and designs, we have subscribed the sum of five hundred pounds currency, for the purpose of erecting a school house in the Town of Kingston that shall contain four hundred children of both sexes.

We, the subscribers, humbly request and pray that your Honourable House would take these representations into your consideration and extend to us legislative aid.

We, therefore, pray that your Honourable House would incorporate the Trustees, (to be nominated by the subscribers), and invest them with the rights and privileges of a corporation, for the receiving, managing and disposing of the contributions of such persons as would be disposed to extend their benevolence to the general diffusion of instruction in reading, writing and arithmetic, etc.; and that the aforesaid Corporation, with the succession, may be designated and known by the name of the “*Trustees of the School Society of Upper Canada.*”

\* The Rev. Thaddeus Osgoode was a venerable Congregational Minister, who, when I knew him many years ago was greatly interested in Sunday Schools. The last time I met him was at a Sunday School Convention, and I was then greatly impressed with his kind and gentle bearing. He was my ideal of Goldsmith's “*Village Preacher.*”



And we further pray your Honourable House that such pecuniary aid may be afforded and granted to the incorporation as shall be the means of enabling them to carry into effect the most important object of the establishment, which is, the fitting and preparing of School Masters, to carry this plan of instruction to the Townships and Villages of the Province.

And we further represent to your Honourable House that, by extending the means of acquiring a common education, a great proportion of the children so instructed in this school will be, by these means, qualified for admission into the higher, or Public, (Grammar), Schools, and thus the general welfare of the community will be promoted.

And your petitioners, as in duty bound, shall ever pray, etc., etc.

(NOTE.—The record of the proceedings of the Legislature of Upper Canada for the year 1815 has not been preserved. This account which I give of the formation and incorporation of the Midland District School Society was copied for me, in 1863, by Mr. George Coventry, of Cobourg, from an old file of the *Kingston Gazette*, published by Mr. Stephen Miles in 1811-1819.)

The Legislature granted the prayer of the petitioners and passed the following Act incorporating the Society:—

#### 55 GEORGE III., CHAPTER XVIII.

##### AN ACT TO INCORPORATE THE MIDLAND DISTRICT SCHOOL SOCIETY.

*Sir George Murray, Administrator.*

*Passed March 14th, 1815.*

WHEREAS, funds have been collected, and a Society lately formed in England, designated the "*Committee for Promoting the Education of the Poor in Upper and Lower Canada*," the object of which Society is to promote the education and moral improvement of the poor of every religious denomination in Canada ;

Funds collected in England for educating poor in Canada.

And whereas, in furtherance of the wishes of that institution, a subscription has been entered into at Kingston, in the Midland District of this Province, to assist in carrying into effect their benevolent intentions with regard to this Province, and it is apprehended that, if countenanced and supported by the laws of this Province, and established upon a permanent footing, and vested with powers for better enabling the subscribers thereto to carry into execution their charitable and useful designs, such an institution would be of extensive use, and of great benefit and advantage to the public ;

Subscription entered into in Kingston for same object.

Desirable powers asked for.

And whereas, the purposes aforesaid cannot be effected without the aid of the Legislature :

Expedient to grant them.

1. *Be it enacted* by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, intituled "*An Act to Repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign*," intituled "*An Act for making More Effectual Provision for the Government of the Province of Quebec, in North America*," and to make further provision for the Government of the said Province," and by the authority of the same, That, on the first day of May, next ensuing, there shall be held a meeting of the subscribers for the purposes aforesaid in the Town of Kingston, in the Midland District aforesaid, at which meeting a President, Secretary, Treasurer and six Trustees, (any four of whom, with the President, shall be a quorum for the transacting of business), shall be chosen from among the subscribers, by a majority of the subscribers then there present ; and regulations shall be also then and there made respecting the length of time the said Officers shall continue in office, and also respecting the election and nomination for the future of such President, Secretary, Treasurer and Trustees.

Meeting of subscribers to be held in May, 1815.

Officers and Trustees to be appointed by subscribers.

Quorum.

Regulations to be made.

2. *And be it enacted* by the authority aforesaid, That the President, Secretary, Treasurer and Trustees, for the time being, and their successors, so to be nominated and appointed, shall be, and they are hereby declared to be, one body Corporate and Politic, in deed and in law, by the name of "*The Midland District School*"

To be a Body Corporate.



Society ;" and shall have perpetual succession and a common seal, with power to change, alter, break, or make new, the same ; and they, and their successors, by the name aforesaid, may sue, and be sued, implead, and be impleaded, answer, and be answered unto, in all, or any Court, or Courts, of Record, and places of jurisdiction within this Province ; and that they and their successors, by the name aforesaid, shall be able and capable in Law to have, hold, receive, enjoy, possess, and retain, for the ends and purposes of this Act, in trust, for the benefit of the said Society of the Midland District, all such sum and sums of money as have been paid, or given, or shall, at any time, or times, hereafter be paid, given, devised, or be gathered by any person, or persons, to, and for, the benevolent ends and purposes in this Act mentioned ; and that they and their successors, by the name aforesaid, shall and may, at any time hereafter, without any License in Mortmain, purchase, take, receive, have, hold, possess and enjoy, any lands, tenements, hereditaments, or any estate, or interest derived, or arising out of any lands, tenements, or hereditaments, for the purposes of the said Society, and for no other purpose whatever ; and may also, in the same manner, sell, grant, demise, alien, or dispose of the same, and do, and execute, all and singular, other matters and things that, to them, shall, or may appertain to do.

Powers as such.

To be capable to hold lands, money, etc., for the benefit of the Society.

May sell and demise the same.

3. *And be it further enacted by the authority aforesaid,* That the said President, and Trustees, so to be nominated and appointed, as aforesaid, and their successors, shall have full power and authority to lease such estate and hereditaments, on such terms as they shall judge most beneficial, and also to dispose of all such personal estates, at their will and pleasure, as shall appear to them most advantageous for promoting the benevolent purposes of the said institution.

May lease real estate and dispose of personal estates.

*And be it enacted by the authority aforesaid,* That no person who is not a natural born subject of His Majesty, or a subject naturalized by Act of the British Parliament, or a subject of His Majesty, having become such by the conquest and cession of the Province of Canada, shall be capable of being a Trustee or Teacher of the said School.

None but British subjects to be trustees or teachers.

After the passing of this Act, a meeting of the subscribers of the Society was called. It was held at the Episcopal Church, in Kingston, on Monday, the 1st of May, 1815, when the following officers and Trustees were chosen, viz.:—The Rev. Mr. George Okill Stuart, President ; Mr. William Merrill, Secretary ; Mr. Hugh C. Thompson, Treasurer ; Colonel Myers, and Messieurs Adam McLean, Laurence Herchmer, Thomas Markland, William Mitchell and Thomas Strickland, Trustees.

Some misunderstanding having arisen between the Secretary and Treasurer of the Society, in regard to the mode of collecting and the terms of depositing in a bank, etc., the promised subscriptions for shares, a protracted delay ensued. The Legislature failed also to respond to the request made in the petition of the Society for funds. The result was that for years nothing was done, and the practical operations of the Society were, in consequence, indefinitely postponed.

It was not until 1817 and 1818, that any further effort was made to carry out the intention of the Act of incorporation. Even then the effort languished. At length, in 1837, a movement was made to revive the Society, and to carry out in some degree the objects originally aimed at. In that year the Act of incorporation was amended, and operations were practically commenced. After that, (as will be seen later on), the history of the Society was a varied one.

## CHAPTER XXV.

## EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1816.

On the 6th of February, 1816, His Excellency Francis Gore, Esquire, Lieutenant-Governor, opened the fifth Session of the sixth Parliament of Upper Canada with a Speech from the Throne, in which he thus referred to the subject of the value of the Grammar Schools, and to the desirability of establishing Elementary Schools in each township. He said :—

The District Schools instituted by law (in 1807), and admirably fitted as a step between Elementary Schools and a Seminary for the higher branches of education, will not, without further aid, produce sufficient advantage to the youth of this Province.

The dissemination of letters is of the first importance to every class ; and, to aid in so desirable an object, I wish to call your attention to some provision for the establishment of schools in each township, which shall afford the first principles to the children of the inhabitants, and prepare such of them as may require further instruction to receive it in the District Schools. From them, it seems desirable that there should be a resort to a Provincial Seminary for the youth who may be destined for the Professions, or other distinguished walks in life, where they might attain the higher branches of education. The Royal bounty has already been bestowed towards that end, in the destination of large tracts of land, and no attention shall be wanting on my part to second, and carry into effect, the result of your deliberations on this important subject.

The Legislative Councillors, in reply to His Excellency's speech, said\* :—

The system detailed by Your Excellency for the education of youth in this Province fully corresponds with our sentiments on this subject ; and, as the dissemination of letters is of the first importance to every class in promoting morality and religion in ameliorating the condition of mankind, and in benefiting posterity, this subject will claim from us such consideration as will carry into effect the benevolent intentions of Your Excellency ; and we notice with gratitude, that the royal bounty has already been bestowed in the destination of large tracts of land to be applied in such manner as will promote, give effect to, and mature, a system so effectually calculated to ensure the wealth and happiness of this Province.

Your Excellency's personal zeal in promoting these laudable institutions, and your readiness to carry into effect the result of our deliberations, claim from us, as a public body, our warmest acknowledgements.

On the 7th of January, 1816, the House of Assembly replied to His Excellency's speech as follows. It will be seen, however, that there was but a slight response in this reply to the Governor's remarks in regard to the District or Grammar Schools and the higher Seminary :—

With Your Excellency we are convinced that the dissemination of letters is of the highest importance to every class of the community ; and, while we acknowledge with humble gratitude the munificent donation of His Majesty to this great object we beg leave to assure Your Excellency of our earnest wish to contribute, by every mean in our power, to that general diffusion of education, so much to be desired.

*7th February, 1816.*—Mr. John Willson gave notice that he will move on Thursday, the 15th instant, for leave to bring in a Bill to regulate Common Schools throughout the Province.

*7th February, 1816.*—Mr. Robert Nichol, seconded by Mr. Mahlon Burwell, moved that so much of His Excellency the Lieutenant-Governor's speech as relates to education be referred to a Select Committee of three members, and that Messieurs James Durand, Ralph Clench and Thomas Dickson be a Committee for that purpose ; that they have leave to send for persons and papers, and to report by Bill otherwise, which motion was carried in the affirmative.

\*There being no record of the proceedings of the Legislative Council for the years 1815, 1816, 1817 or 1818 preserved in either of the Parliamentary Libraries at Ottawa or Toronto, I had this extract copied by Mr. Coventry, in 1862, from a local paper.

*23th February, 1816.*—Mr. Burwell, seconded by Mr. Durand, moved that Messieurs John Willson and John McGregor be added to the Committee on Education, which was ordered.

*26th February, 1816.*—Mr. Nichol gave notice that he will, on Tuesday next, move for leave to bring in a Bill to provide for the establishment of Common Schools within this Province, and for other purposes.

*27th February, 1816.*—Mr. Durand, first named of the Committee to consider that part of His Excellency the Lieutenant-Governor's speech, which recommended attention to the education of the youth of the Province, made the following report :—

Your Committee, nominated to report upon the state of education in this Province, beg leave to submit the following as their opinion, in maturing which they have endeavored not to lose sight of the great importance of the subject of their deliberation.

*Firstly* :—That the education of youth is a subject worthy of the most serious attention of the Legislature.

*Secondly* :—That the necessity of sending young men out of the Province to finish their education, which hath heretofore existed, has been found extremely inconvenient.

*Thirdly* :—That sound policy dictates that our youth should be educated within the Province, or in England, if we wish them to imbibe predilections friendly to our different establishments, and attached to our Parent State.

*Fourthly* :—That but few of the inhabitants of this Province can support the expense of sending their children to be educated in Great Britain ; and parental authority would reluctantly trust them at such an immense distance from its care, observation and control.

*Fifthly* :—That there is, at present, no seminary at which they can obtain a liberal and finished education.

*Sixthly* :—That, in order to diffuse liberal knowledge generally throughout the community, it appears expedient that a University should hereafter be established, where the arts and sciences may be taught to the youth of all denominations, in and of which establishment may be embraced the funds which are anticipated from His Majesty's munificent donation of lands for its support.

*Seventhly* :—That nothing has yet been done to promote education among the poorer inhabitants.

*Eighthly* :—That it is expedient to extend the benefits of a common education throughout the whole Province.

*Ninthly* :—That the people have shown among themselves a laudable zeal in this particular, which ought to be fostered and encouraged.

*Tenthly* :—That, with respect to the present district institutions and grammar schools, your Committee feel it their incumbent duty to state as their opinion, the advantages which were expected to be derived from this source, have fallen short of the object.

*Lastly* :—Your Committee, for these considerations, request that they may be permitted to submit to your Honourable House a Bill which they have framed for the establishment of common schools throughout this Province.

JAMES DURAND,  
Chairman.

COMMON HOUSE OF ASSEMBLY,  
27th February, 1816.

*Ordered*—That the report be received and it and the Common School Bill be read. This was done, and the Bill was read the first time.

Mr. John Willson then, seconded by Mr. Durand, moved that the Common School Bill be read a second time, on Thursday next, which was agreed to and ordered.

*27th February, 1816.*—Mr. Willson, seconded by Mr. Durand, moved that the fifth Rule of this House be dispensed with, so far as to enable him to move for leave to bring in a Bill granting a sum of money for the benefit of Common Schools throughout this Province, and that he have now leave to bring in the same. Which was agreed to and the Bill was read a first time.

Mr. John Willson, seconded by Mr. Ralph Clench, moved that the Bill for granting a sum of money for the establishment of Common Schools, be read a second time on Thursday, which was ordered.



28th February, 1816.—Mr. Alexander McMartin, seconded by Mr. Thomas Dickson, moved that the Petition of the inhabitants of Williamstown and its vicinity, asking for aid for their school, be now read, which was agreed to, and the Petition was read as follows:

*To the Honourable, the Commons House of Assembly, in Provincial Parliament assembled:—*

The Petition of several inhabitants of the Village of Williamstown, in the Township of Charlottenburgh, County of Glengarry, and in the Eastern District of the Province, humbly sheweth,

That your Petitioners, the inhabitants of Williamstown and its vicinity, in the County of Glengarry, have, at the expense of three hundred pounds, provincial currency, erected a frame school-house of forty feet in length, by thirty feet in breadth and sixteen feet in height of walls, and opened the same, for the education of youth, on the 2nd of January, 1815.

That the expense of erecting this school-house was done by our means, for the sole purpose of encouraging education in a new country, and more especially for the benefit of such poor children whose parents or friends have not the means of defraying the expenses attending the same.

The number of children now in school is about sixty; but, in order to pay the schoolmaster and raise a small sum to keep the school-house in repair, the rate of education for each child is so high as to prevent several poor children obtaining the hoped for advantages of education. Could the price be lowered, the number of scholars would be much increased.

We, therefore, humbly pray that a certain sum be granted, payable yearly or half-yearly to a committee appointed by the proprietors annually, and their successors in office, as an encouragement for an able teacher, and support of the said school.

And your Petitioners, as in duty bound, will ever pray.

Alexander Mackenzie, Donald Fraser, D. McPherson, Peter Ferguson, John Wright, etc.

GLENGARRY, February, 5th, 1816.

29th February, 1816.—Agreeably to the Order of the Day the Common School Bill was read a second time. Mr. Willson, seconded by Mr. Durand, moved that the House do now resolve itself into a Committee, to take into consideration the Common School Bill, which was agreed to, and the House went into Committee, with Mr. Robert Nelles in the chair.

Mr. Speaker, having resumed the Chair, Mr. Nelles reported progress, and obtained leave to sit again to-morrow.

Agreeably to the Order of the Day, the School Appropriation Bill was read a second time. Mr. Willson, seconded by Mr. Durand, moved that the House do now resolve itself into a Committee to take into consideration the Common School Appropriation Bill, which was carried, and the House went into Committee. Mr. Beikie in the chair.

Mr. Speaker having resumed the Chair, Mr. Beikie reported progress, and obtained leave to sit again to-morrow.

2nd March 1816.—Agreeably to the Order of the Day, the House went into Committee on the Common School Bill, Mr. Nelles in the chair.

Mr. Speaker having resumed the Chair, Mr. Nelles reported progress and obtained leave to sit again on Monday.

4th March, 1816.—Agreeably to the Order of the Day, the House went into Committee on the Common School Bill, Mr. Nelles in the chair.

Mr. Speaker having resumed the Chair, Mr. Nelles reported progress, and obtained leave to sit again on Wednesday.

8th March 1816.—Mr. Durand, seconded by Mr. McMartin, moved that the House do resolve itself into a Committee of the Whole to take into consideration the propriety of addressing His Excellency the Lieutenant-Governor, on the subject of appropriating waste lands of the Crown for the aid of Common Schools.

Which was agreed to, and the House went into Committee, Mr. Isaac Swayze in the chair.

Mr. Speaker having resumed the Chair, Mr. Swayze reported progress, and obtained leave to sit again on Monday.

11th March, 1816.—Mr. Durand gave notice that he will, on to-morrow, move that the House do resolve itself into a Committee of the Whole upon the subject of an address to His Excellency the Lieutenant-Governor, relative to an appropriation of lands for schools.

12th March, 1816.—Agreeably to the Order of the Day, the House went into Committee on the Common School Bill, Mr. Nelles in the chair.

Mr. Speaker having resumed the Chair, Mr. Nelles reported progress, and obtained leave to sit again to-morrow.

*13th March, 1816.*—Agreeably to notice Mr. Durand, seconded by Mr. Swayze, moved that the House do resolve itself into a Committee of the Whole on a joint address to the Lieutenant-Governor upon the subject of land appropriation for schools, which was carried, and the House went into Committee, Mr. John McGregor in the Chair.

Mr. Speaker having resumed the Chair, Mr. McGregor reported the address as amended.

*Ordered,* That the address be received.

Mr. Durand, seconded by Mr. Swayze, moved that the address on the subject of school lands to the Lieutenant-Governor, be engrossed and read a third time to-morrow.

*14th March, 1816.*—Agreeably to the Order of the Day, the joint address to His Excellency the Lieutenant-Governor, on the subject of school lands, was read the third time.

Mr. Durand, seconded by Mr. Burwell, moved that the joint address for school lands do now pass, which was carried, and the address was signed by the Speaker.

Mr. Burwell, seconded by Mr. Durand moved that Messieurs Thomas Dickson and William McCormick, be a Committee to inform the Honourable the Legislative Council that this House have passed an address to His Excellency the Lieutenant-Governor, respecting school lands, and request their concurrence thereto, which was ordered.

Mr. Dickson, first named of the Committee to carry up to the Honourable the Legislative Council the joint address, to the Lieutenant-Governor, on the subject of school lands, and to pray their concurrence thereto, reported that the Committee had done so.

*15th March, 1816.*—Agreeably to the Order of the Day, the House went into Committee on the School Bill, Mr. Nelles in the chair.

Mr. Speaker having resumed the Chair, Mr. Nelles reported progress and obtained leave to sit again to-morrow.

Mr. Dickson gave notice that he will, on to-morrow, move for leave to bring a Bill to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled "An Act to establish Public Schools in each and every District of this Province."

A message was brought down from the Legislative Council by Mr. W. W. Baldwin, Master-in-Chancery, as follows :—

MR. SPEAKER,

The Honourable the Legislative Council request a Conference with the Commons House of Assembly respecting an address to His Excellency the Lieutenant-Governor, relative to the appropriation of a portion of the waste lands of the Crown for the purpose of encouraging the establishment of Common Schools within this Province, and for other purposes, which was sent up yesterday for the concurrence of this House, for which purpose a Committee of two members will be ready to meet a Committee of the Commons House of Assembly, in the Legislative Council Chamber, at one o'clock to-morrow.

LEGISLATIVE COUNCIL CHAMBER,  
YORK, 15th March, 1816.

THOMAS SCOTT,  
Speaker.

Mr. Dickson, seconded by Mr. Nelles, moved that Messieurs Thomas Ridout and James Durand be a Committee of Conference to meet the Honourable the Legislative Council to-morrow on the subject of joint address to His Excellency the Lieutenant-Governor, on the subject of their Message this day.

*16th March, 1816.*—Mr. Thomas Ridout, first named of the Committee to confer with the Committee of the Legislative Council on the subject of a joint address to His Excellency the Lieutenant-Governor, respecting the appropriation of Crown Lands for the purpose of Common Schools, reported that the Committee had met and prepared a draft of an Address to that effect and agreed to recommend it to the adoption of the House.

Agreeably to notice, Mr. Dickson, seconded by Mr. McGregor, moved for leave to bring in a Bill to amend the District School Act, which was agreed to and the Bill read a first time.

Mr. Dickson, seconded by Mr. Clench, moved that the District School Amendment Bill be read a second time on Monday, which was ordered.

*20th March, 1816.*—Agreeably to the Order of the Day, the House went into Committee on the Common School Bill, Mr. Nelles in the chair.

Mr. Speaker having resumed the Chair, Mr. Nelles reported the Bill as amended.

*Ordered,* That the report be received

Mr. Willson, seconded by Mr. Dickson, moved that the Fifth Rule of the House be dispensed with as far as regards the Common School Bill, and that it be engrossed and read a third time to-day, which was ordered.



*21st March, 1816.*—Agreeably to the Order of the Day, the Common School Bill was read the third time.

Mr. Willson, seconded by Mr. Durand, moved that the Common School Bill do now pass, and that it be intituled "An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the regulation of said Common Schools," which was agreed to, and the Bill was signed by the Speaker.

Mr. John Beikie, seconded by Mr. Isaac Swayze, moved that Messieurs Durand and Willson, be a Committee to carry up to the Honourable, the Legislative Council, the Common School Act, and request their concurrence thereto, which was ordered.

Mr. Durand, first named of the Committee to carry up to the Honourable the Legislative Council the Bill intituled "An Act for granting to His Majesty, a certain sum of money to be applied to the uses of Common Schools throughout this Province, and to provide for the regulation of said Common Schools," and pray their concurrence thereto, reported that the Committee had done so.

Agreeably to the order of the day, the District School Amendment Bill was read a second time.

Mr. Dickson, seconded by Mr. Willson, moved that the House do now resolve itself into a Committee on the District School Amendment Bill; which was agreed to, and the House went into Committee, Mr. Thomas Mears in the chair.

Mr. Speaker having resumed the Chair, Mr. Mears reported progress, and obtained leave to sit to-morrow.

*22nd March, 1816.*—Mr. Robert Nichol, seconded by Mr. John Cryslar, moved that Messieurs Durand and Burwell be a Committee to inform the Honourable the Legislative Council, that this House, have appointed a Committee to present, with the Committee of the Honourable the Legislative Council, the Joint Address to His Excellency, the Lieutenant-Governor, on the subject, of school lands, which was agreed to.

Mr. W. W. Baldwin, Master-in-Chancery, brought down from Honourable the Legislative Council a Bill sent up from this House, intituled "An Act granting to His Majesty a sum of money to be applied to the uses of Common Schools throughout this Province, and to provide for the regulation of the said Common Schools," which they had passed without any amendment. Also a written message as follow:—

MR. SPEAKER:

The Honourable the Legislative Council have appointed one of its members to wait, jointly with a Committee of the Commons House of Assembly, upon His Excellency, the Lieutenant-Governor, to know when he would be pleased to receive the Address of both Houses of the Provincial Legislature respecting the appropriation of a part of the waste lands of the Crown, for the purpose of encouraging the establishment of Common Schools, and for other purposes.

LEGISLATIVE COUNCIL CHAMBER,  
YORK, 22nd March, 1816.

THOMAS SCOTT,  
Speaker.

Mr. Rolph Clench, first named of the Committee to wait on His Excellency, the Lieutenant-Governor, with a Committee of the Honourable the Legislative Council, to know when he would receive the Joint Address of the two Houses on the subject of the school lands, reported that they had done so, and that His Excellency had appointed the hour of half past two to receive the same.

Mr. Clench, first named of the Committee to wait upon the Lieutenant-Governor, with a Committee of the Legislative Council, and present the Address to the two Houses on the subject of school lands, reported that they had presented the Address to His Excellency, who was pleased to make an answer thereto, a copy of which he gave to the Speaker who read the same, as follows:—

F. GORE:

Gentlemen, I shall have great satisfaction in seconding the endeavours of the Legislature to establish Common Schools in the Townships throughout the Province, by a suitable appropriation of land for the use of each school, in which I assure myself of the ready concurrence of His Majesty's Council for the affairs of this Province.

The application of His Majesty's gracious bounty towards the support of a Provincial Seminary must depend upon the Royal instructions, yet to be received, but which, it cannot be doubted, will be framed with the same princely liberality that dictated the general measure of a reserve of lands for that purpose.

GOVERNMENT HOUSE,  
YORK, 22nd March, 1816.

F. G.



*23rd March, 1816.*—Agreeably to the Order of the Day, the House went into Committee on the District School Amendment Bill. Mr. McCormick in the chair.

Mr. Speaker having resumed the Chair, Mr. McCormick reported progress and obtained leave to sit again this day.

*25th March, 1816.*—Agreeable to the Order of the Day, the House went into Committee on the District School Amendment Bill, Mr. McCormick in the chair.

Mr. Speaker having resumed the Chair, Mr. McCormick reported progress, and obtained leave to sit again this day.

The House again went into Committee on the District School Amendment Bill, Mr. McCormick in the chair.

Mr. Speaker having resumed the Chair, Mr. McCormick reported the Bill, as amended. *Ordered*, That the report be received.

Mr. Nichol, seconded by Mr. Ridout, moved that the District School Amendment Bill be engrossed and read a third time to-morrow, which was ordered.

*26th March, 1816.*—Agreeable to the Order of the Day, the Public School Amendment Bill was read a third time.

Mr. Clench, seconded by Mr. Thompson, moved, that the third clause of the Public (Grammar) School Amendment Bill be expunged. On which the House divided, and the yeas and nays, being taken down, were as follows :—

YEAS.—Messieurs Clench, Young, Thompson, 3.

NAYS.—Messieurs Willson, Dickson, McCormick, Beikie, Crysler, Ridout, Nichol, Burwell, Mears, Nelles, and Swayze, 11.

The motion was lost, by a majority of eight,

Mr. Nichol, seconded by Mr. Burwell, moved that the Public School Bill do now pass, and that it be intituled “An Act to amend an Act passed in the forty-seventh year of His Majesty’s Reign, (1807), intituled ‘An Act to establish Public Schools in each and every District of this Province, to extend the provisions thereof, and for other purposes therein mentioned.’”

On which the House divided, and the yeas and nays were taken down as follows :—

YEAS.—Messieurs Dickson, McCormick, Willson, McMartin, Nelles, Ridout, Beikie, Crysler, Mears, Nichol, Burwell, Swayze and Young, 13.

NAYS.—Mr. Clench, 1.

And it was carried in the affirmative by a majority of twelve, and the Bill was signed by the Speaker.

Mr. Nichol, seconded by Mr. Swayze, moved that Messieurs. Burwell and Crysler be a Committee to carry the Public School Amendment Bill up to the Honourable the Legislative Council and to request their concurrence thereto, which was ordered.

*27th March 1816.*—Mr. Burwell, first named of the Committee to carry up to the Honourable the Legislative Council the Bill intituled “An Act to amend an Act passed in the forty-seventh year of His Majesty’s reign (1807), intituled ‘An Act to establish Public Schools in each and every District within this Province, and to extend the provisions thereof, and for other purposes therein mentioned,’” and request their concurrence thereto, reported that the Committee had done so.

Mr. D’Arcy Boulton jr., Master-in-Chancery, brought down from the Honourable the Legislative Council the Bill, intituled “An Act to amend an Act passed in the forty-seventh year of His Majesty’s Reign (1807), intituled ‘An Act to establish Public Schools in each and every District of this Province’, to extend the provisions thereof, and for other purposes therein mentioned.” which they had passed without amendment.

*26th March, 1816.*—Mr. Thomas Dickson, seconded by Mr. John Willson, moved that the fifth rule of this House be dispensed with, so far that he have leave to bring in a Bill to amend ‘An Act passed in the forty-seventh year of His Majesty reign, (1807,) intituled, An Act to establish Public Schools in each and every District of this Province, and further to extend the benefits of the same.’ On which the House divided, the yeas and nays being taken down as follows :—

YEAS.—Messieurs Willson, Dickson, Thompson, Mears, and Beikie, 5.

NAYS.—Messieurs McCormick, Young, McMartin, Swayze, Durand, Burwell, Clench, Crysler, and Nelles, 9.

And the question was decided in the negative by a majority of four.

(NOTE.—The title of this Bill differs from the one passed by the House of Assembly, on the 26th of March. In that Bill, after quoting the title of the Act of 1807, the words added are :—

To extend the provisions thereof, and for other purposes therein mentioned.

This Bill was concurred in by the Legislative Council; and, of this concurrence, the Council, by message, informed the House of Assembly, on the 27th of March. The Bill, however, was not assented to by the Lieutenant-Governor, for what reason does not appear, except that the House of Assembly had not formally acted upon the report of concurrence from the Legislative Council. The Bill sought to be introduced into the House of Assembly by Mr. Thomas Dickson, on the 29th of March, had, after quoting the title of the Act of 1807, the following words added:—

And further to extend the benefits of the same.)

30th March, 1816.—Mr. Dickson, first named of the Committee to carry up to the Honourable the Legislative Council the Bill intituled, 'An Act to amend an Act passed in the forty-seventh year of His Majesty's reign, (1807), intituled, An Act to establish Public Schools in each and every District of this Province, to extend the provisions thereof, and for their purposes therein mentioned,' and request their concurrence to it, reported that the Committee had done so.

Mr. D'Arcy Boulton, jr., Master-in-Chancery, brought down the Bill, intituled, 'An Act to amend an Act passed in the forty-seventh year of His Majesty's reign, (1807,) intituled, 'An Act to establish Public Schools in each and every District of this Province, and to extend the provisions thereof, and for other purposes therein mentioned, sent up from this House, which the Legislative Council had passed without amendment.

1st April, 1816.—The Black Rod having, by His Excellency's command, summoned the members of the House of Assembly to the Legislative Council Chamber, he was pleased to assent, in His Majesty's name, among other Bills, to the one intituled:—

An Act granting to His Majesty a sum of money to be applied to the uses of Common Schools throughout this Province, and to provide for the Regulations of the said Common Schools.

In proroguing the Legislature, His Excellency, Lieutenant-Governor Francis Gore, Esquire, closed the session with a speech from the Throne, in which the following passage occur:—

I thank you for the zealous discharge of your legislative functions, in providing so many valuable laws, which must be attended with the most salutary effects to this Province. That particularly, which provides for the dissemination of letters in this infant Colony, must secure to you the gratitude and veneration of the rising and future generations.

#### MEMBERS OF THE HOUSE OF ASSEMBLY WHO TOOK PART IN THE EDUCATIONAL LEGISLATION OF 1816.

The Members of the House of Assembly who took part in its school legislation in 1816, were Messieurs Robert Nichol, Mahlon Burwell, James Durand, John Willson, Ralph Clench, Alexander McMartin, Thomas Dickson, Robert Nelles, Isaac Swayze, John McGregor, William McCormick, Thomas Ridout, John Beikie and John Cryslér.

Mr. JAMES DURAND was elected in 1814, for the Niagara District; in 1817 and 1818 for the County of Wentworth; and in 1835, and 1841 for the County of Halton. The Rev. Dr. Scadding, in his *Toronto of Old*, speaking of Mr. Durand, said that in 1817, the House of Assembly was persuaded,—

To vote his address to the electors of Halton, a libel, to exclude its author from the House, and to commit him to prison. His instant election by the County of Halton, was, of course, secured. We observe from the evidence of Mr. James Durand, before the celebrated (Mackenzie) Grievance Committee of 1835, that he was an early advocate of a number of the charges which have since been carried into effect. He died in 1872, at Kingston, where he was Registrar for the County of Frontenac.\*

\*For the particulars of this case, see Yeigh's *Ontario Parliamentary Buildings*, 1792-1892, pages 92-94.

Mr. JOHN WILLSON was elected to represent the west riding of the County of York in 1809 and 1813, and the County of Wentworth, in 1820, 1825, 1829 and 1831. He became Speaker of that House of Assembly in 1825.

Mr. THOMAS RIDOUT was elected member for the west riding of York, in 1812. He had been Clerk of the Peace for the Home District, and, in 1810, became Surveyor General of Upper Canada. In 1824, he was appointed a member of the Legislative Council. He died in February, 1829.

Mr. JOHN BEIKIE became a member of the House of Assembly, in 1813. Before that he was Sheriff of the Home District. He was afterwards appointed Clerk of the Executive Council.

Of the other Members not already mentioned, little is recorded, and, therefore, I have been unable to refer to them further. Their labours, however, are not forgotten; for to them, and to their leaders in the House of Assembly, are we indebted for the first step being taken to found a systematic and intelligent scheme of education for Upper Canada, in providing for the establishment of primary schools in the several townships of the Province. It took some years to accomplish this purpose, but at length in 1816, (nine years after the grammar schools were established,) legislative provision was then first made for the establishment and maintenance of common schools in Upper Canada, and the large sum, in that day, of £6,000, (\$24,000) was annually granted for this purpose and the law provided that the people were "to meet together" in any town, village or township, "to make arrangements for establishing common schools in such town, village or township," at each of which the attendance of pupils should not be less than twenty. The law also authorized that three "fit and discreet persons" should be chosen Trustees, who were to "examine into the moral character and capacity of any person willing to become a teacher" and appoint him. The trustees were further authorized to make rules and regulations for their own schools, and select text-books from a list prescribed by a District Board of Education, to which they were required to report. The provincial allowance to each school was in no case to exceed £25, (\$100)—the balance of salary and contingent expenses had to be made up by subscriptions. No rate-bills or assessments for this purpose were, however, authorized. This law was considered as a tentative one, and also as an experiment. The operation of the Act of 1816, was, on its passing, limited to four years.\*

The following is a copy of this, the first Common School Act passed by the Legislature of Upper Canada. Its passing marked a distinct epoch in the educational history of the Province.

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\*Historical Sketch of Education in Upper Canada, by J. George Hodgins, M.A., LL.B., F.R.G.S., in *Eighty Years Progress of British North America*, Toronto, 1863, page 384.



## 56TH GEORGE III., CHAPTER XXXVI.

AN ACT GRANTING TO HIS MAJESTY A SUM OF MONEY, TO BE APPLIED TO THE USE OF COMMON SCHOOLS THROUGHOUT THIS PROVINCE, AND TO PROVIDE FOR THE REGULATIONS OF SAID COMMON SCHOOLS.

*Francis Gore, Esquire, Lieutenant-Governor.*

*Passed 1st April, 1816.*

MOST GRACIOUS SOVEREIGN ;

Whereas it would be conducive to the happiness of the Inhabitants, and general prosperity of the Province, to encourage the education of youth in Common Schools. Preamble.

1. (Annual grant of £1000 to the Midland District ; £800 to the Eastern District £600 each to the Home, Johnstown, London, Gore Niagara and Weston District ; £400 to the Newcastle ; £200 to the Ottawa District—£6,000 in all— Annual grant of £6,000.  
for the establishment of common schools in these districts. This section was repealed in 1820, and these sums were reduced, by the 1st George IV., chapter 7.)

2. And be it further enacted by the authority aforesaid, That from and after the passing of this Act, it shall and may be lawful, for the Inhabitants of any Town, Township, Village or place, to meet together for the purpose of making arrangements for Common Schools in such Town, Township, Village or place, on or before the first day of June in the present year, and on the first day of June in each and every year, during the continuance of this Act. Inhabitants of any town etc. to make arrangements for Common Schools.

3. And be it further enacted by the authority aforesaid, That so soon as a competent number of persons as aforesaid, shall unite and build or provide a School House, engage to furnish twenty scholars or more, and shall in part provide for the payment of a Teacher, it shall and may be lawful for such persons as aforesaid, or the majority of them, giving eight days' previous notice thereof, to meet at some convenient place appointed for that purpose, and it shall and may be lawful for each persons as aforesaid, and they are hereby required, to appoint three fit and discreet persons, Trustees to the said Common School, who shall have power and authority to examine into the moral character and capacity of any person willing to become Teacher of such Common School, and being satisfied of the moral character and capacity of such Teacher, to nominate and appoint such person as the Teacher of said Common School. Persons may unite and build a School House, pay Teachers appoint Trustees and furnish scholars.

4. Provided always nevertheless, and be it enacted by the authority aforesaid, That no person shall be appointed Teacher to such Common School unless such person is a Natural Born subject of His Majesty, or a subject of His Majesty naturalized by Act of the British Parliament, or a subject of His Majesty having become such by the conquest and cession of the Province of Quebec, or by having taken the Oath of Allegiance to His Majesty. Teachers must be natural born subjects or have taken the oath of allegiance.

5. And be it further enacted by the authority aforesaid, That the said Trustees or the majority of them, shall have power and authority, under the provisions hereinafter mentioned for that purpose, in their discretion to remove such Teacher, as aforesaid, from his school, for any misdemeanor or impropriety of conduct ; and it shall and may be lawful for the said Trustee, or the majority of them, in case of demise, dismissal or removal, of any Teacher, as aforesaid, to nominate and appoint, as often as the case may require, one other fit and discreet person as aforesaid, to become such Teacher as aforesaid : Provided always, nevertheless, that no Teacher of any Common School, under the provisions of this Act, sh ll be removed or dismissed from his said school, unless the Board of Education hereinafter appointed in each and every District of this Province, sanction the removed or dismissal. Trustees have power to remove Teacher for any impropriety of conduct and appoint another person.

6 And be it further enacted by the authority aforesaid, That the Trustees appointed, under and virtue of this Act, to any Common School, as aforesaid, or the majority of them, shall have power and authority to make Rules and Regulations for the good government of the said Common Schools, with respect to the Teacher, for the time being, and to the scholars, as in their discretion shall seem meet, and that it shall and may be lawful for the said Trustees, and they are here- Trustees have power to make Rules for the Government of the School .

by required, to report to the District Board of Education, hereinafter to be appointed, the Books used, with the Rules and Regulations used in the said Schools, once in every three months: Provided always, that it shall and may be lawful for the said District Board of Education, on such report as aforesaid, being received, to order and direct such Books, or any of them, not to be used in the said Schools, and to rescind the said Rules and Regulations, or any part of them, if it should be deemed expedient, giving sufficient notice thereof to the said Trustees, who shall warn the subscribers to the said School to provide other Books for the tuition of the said Scholars, and to make such other alterations, rules or regulations, in the said Schools, as they shall deem necessary, in order that there may be a more uniform system of education throughout the Province.

Trustees to report to the Board of Education, the books used in the said Schools once every three months.

7. And be it further enacted by the authority aforesaid, That all engagements, contracts or subscriptions, entered into by the Subscribers to any Common Schools, in any District of that Province, with any person or persons, for the erecting, building or keeping in repair, any School House for the purpose aforesaid, or the payment of the Teacher thereto, such Subscriber, or Subscribers, shall be liable to be sued for their subscription by the said Trustees to such Common Schools, or their successors in office, in any Court of this Province having competent jurisdiction.

All engagements entered into by subscribers, shall be liable to be sued for their subscription.

8. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Trustees of the Common Schools in each and every District of this Province, and they are hereby required once in each and every year, to report to the Board of Education, for that purpose hereinafter appointed, in each and every District of this Province, the state of the Common Schools, which such Trustees, aforesaid, shall have the direction of, the number of scholars, the state of education, with the different branches taught in the said School, and all other matters and things that may tend to cherish the prosperity of the said Common Schools, or that may in any wise benefit the same, in order that the said Board of Education may report the state of the District Common Schools to the Governor, Lieutenant-Governor, or Person administering the Government, that the same may be laid before the Legislature at its first meeting for their inspection.

Trustees once a year to report to the Board of Education the state of the Schools, etc., in order that the Board may report to the Governor, that the same may be laid before the Legislature.

9. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Person administering the Government, to appoint not more than five fit and discreet persons to compose a Board of Education in each and every District of this Province, three of whom shall be a quorum; who shall have full power to superintend such Common Schools in the Districts for which they are appointed, and shall annually report to the Governor, Lieutenant-Governor, or Person administering the Government, the state of the said Common Schools, to be laid before the Legislature at their meeting.

Governor to appoint not more than five persons to compose a Board of Education in each District, three to be a quorum.

10. And be it further enacted by the authority aforesaid, That the moneys granted by this Act shall be apportioned to the Teachers of the several Common Schools in each and every District of this Province, to be paid to the Teachers yearly or half-yearly, as may be directed by said Trustees, in proportion to the number of scholars educated in such schools as aforesaid.

Payment to Teachers.

11. And be it further enacted by the authority aforesaid, That the Teachers of such Common Schools established as aforesaid, in any Town, Township, Village or place, in each and every District of this Province, producing a Certificate, signed by the Trustees of any such Common Schools, stating his having well demeaned himself as Teacher of the said School for Six Months, with the number of Scholars Educated in the said School, being not less than twenty in such School, aforesaid, it shall and may be lawful for the Treasurer of the District, to pay to such Teacher his proportion of any sum or sums of money that may be granted by the Legislature of this Province for Common Schools in the respective Districts thereof, during the continuance of this Act.

Teachers producing a certificate signed by Trustees.

Treasurer of the District to pay such Teacher.

12. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the District Boards to be appointed in each and every District in this Province, to apply such part of the money hereby granted to the several Districts, not exceeding one hundred pounds as they shall see fit, for the purchase of proper books for the use of the said Common Schools, and, after having purchased such books, to cause the same to be distributed for the use of such schools, in such manner as to them shall seem meet.

Books may be purchased—limit.



13. And be it further enacted by the authority aforesaid, That the Board of Education, to be appointed by virtue of this Act, in each and every District of this Province, shall have full power and authority to proportion the sums of money for the Common Schools of the said District, and after proportioning the same each of to the said Schools, to send to the Treasurer of the said District a copy thereof, in order that the Treasurer, aforesaid, may discharge the certificates granted to the Teacher, as aforesaid; Provided always, that no allowance to any Common School, in each and every District of the Province, shall exceed the sum of Twenty-five pounds annually; Provided always nevertheless, that no allowance whatever shall be paid to the Teacher of any Common School, in any District of this Province, unless the Trustees of the said Common Schools report to the Board of Education, agreeably to the provisions of this Act.

14. And be it further enacted by the authority aforesaid, That when two adjoining Districts may find it convenient to compose such School as aforesaid, a proportion of the Scholars of which may reside in each District, that the Trustees of such School shall have full power to make the necessary returns as are required by this Act, and receive an equal proportion of the moneys so granted for the support of such Schools, from each of the respective Districts, in proportion to the number of Scholars sent to the said School from each District.

15. And be it further enacted by the authority aforesaid, That the several sums hereby granted to the several Districts of this Province shall be paid by the Receiver General of this Province to the Treasurer of each District respectively in discharge of such warrant or warrants as shall from time to time be issued by the Governor, Lieutenant-Governor or Person Administering the Government of this Province, and shall be accounted for by the Receiver General to His Majesty, His Heirs or Successors, through the Lords Commissioners of His Treasury for the time being, in such manner and form as His Majesty, His Heirs or Successors shall be graciously pleased to direct.

16. And be it further enacted by the authority aforesaid, That this Act shall be, and is hereby declared to be in force for and during the term of four years.

NOTE.—Since the Union of the two Provinces of Upper and Lower Canada, in 1840, this Act, and the other Common School Acts passed afterwards, have been repealed by Statutes of Canada, 4 and 5 Victoria, Chapter 18, passed in 1841, and afterwards by 7 Victoria, Chapter 29 passed in 1843.

In the *Kingston Gazette* the following letter published in the *St. David's Spectator*, (*Niagara District*), by a gentleman at York, was copied. It refers to the character of the School Legislation of 1816, and is dated, York, 2nd of April of that year.

On the 6th day of February, the Provincial Parliament assembled, and the Lieutenant Governor directed their serious attention to the Militia code, but especially to the instruction of the people by the establishment of Common Schools in each Township, and promised his cordial co-operation in carrying into effect the result of their deliberations on this important subject.

The Parliament proceeded with alacrity to business, and passed many useful laws both of a public and private nature. Of these I shall select two.

The second is the Common School Bill, which includes a system simple and efficacious, and which will, in a few years, have a most sensible effect on the character of the Province.

To inform the common people is to make them better subjects both to God and man. It promotes morality and religion, ameliorates the condition of mankind and benefits posterity.

The writer of the *History of Education in Upper Canada*, published in the *Christian Recorder* for April, 1819, and inserted in this work, under that date, discusses fully and clearly the school legislation of 1807 and 1816, and points out the popular objection to both Acts at that time.



## CHAPTER XXVI.

### THE DISTRICT GRAMMAR, OR OLD BLUE SCHOOL, AT YORK.

From Mr. J. Ross Robertson's interesting Chapter, in the "*History of Upper Canada College 1829-1892*," on the "*Old Blue School at York*," I make, with his permission, the following extracts:—

Of the many preceptories for the enlightenment of youth in the ancient town of York, none occupied the exceptional position of the far-famed Home District (Grammar) School, better known as "The Old Blue School."\*

In an old plan of York, dated 1797, the six acres directly north of the square occupied by St. James' Cathedral, is marked "School." The plan is official, and its correctness is certified to by "D. W. Smith, Deputy Surveyor-General, 10th June, 1797," with the countersign of "In Council at York, June 10th, 1797, Peter Russell, President." At a later date, in 1819, another plan was issued by "Thomas Ridout, Surveyor-General," on which this same square is marked "College Square." On this square of six acres was erected, in 1816, the District Grammar School, known afterwards as The Old Blue School.\*

Let us, however, wander back to the second decade of the century. We stand at the south-east corner of King and Yonge streets, and observe on the north-east corner a neatly-built two storey white painted frame building, with a neat porch, trimmed with vines and faced with a sharp-pointed picket fence that ran around the structure, shaded as it was by huge willow trees which shielded the inmates from the sunrays of summer and the snow whirls of winter. This was the house of Mr. Joseph Dennis, whose sons were the first lads on the roll of the District School, which, at its foundation, was temporarily accommodated in a very ordinary frame building, which stood about a hundred feet east of the Dennis House, what was, in later days, the Ridout corner. The building had been a barn, and was readily improved by Dr. Strachan, when he bade farewell to his Cornwall pupils, and favored York with his energetic presence in the early days of 1813. For a time before the erection of the new building on the College Square, this obscure frame building on the north side of King street, just east of Yonge street, was occupied as the District Grammar School house.

The progress of the King street school was phenomenal. Success had crowned the early designs of the Master, and the limited accommodation soon compelled a flight to more commodious quarters. The six acre field, or College Square, originally laid out by Mr. President Russell, was selected as the site of the improved building, and the summer of 1816 saw the timbers felled from the forest, north of Lot street, now Queen, for a more stately erection than the rude structure which had served the purpose of a school, near King and Yonge streets.

The "School" or "College Square," north of the "Church Square," had no claims to pristine beauty. It was bounded on the south by Adelaide street, on the north by Richmond street, on the east by Jarvis street, and on the west by Church street. These are the modern names, Church street being the only one of the four that has retained the original nomenclature. Adelaide was formerly Newgate street, because the Jail was to stand on or near it. Richmond was Hospital street, and Jarvis was New street. . . . The field was nothing more than a green sward, dotted with stumps of the monarchs of the forest and divided by a half sluggish rivulet, that finally assumed the proportions of a pond, which, in winter, was haunted by boys, who smoothed the soles of their Wellington boots on the half acre of ice. . . . In summer the field was the arena for games of hockey. . . .

An old pioneer, whose face the writer welcomes, . . . recounts the raising of the frame of the Home District School as, in 1816, the timbers, dovetailed into one another, stood waiting for the shingled roof and the half-inch clapboard sides. The New District (Grammar) School building stood at the south-west corner of the Square, a hundred and four feet north of Newgate or Adelaide street, and one hundred and fourteen feet from Church street, directly east and north of the line of the present Public Library. The School building was a parallelogram in form, nearly seventy feet deep, with a frontage of forty feet. The structure was two storeys high, its gables were due east and west, and the sunlight streamed into the structure

\*The District Grammar School received its appellation, "The Blue School," from the fact that it was painted blue. This was not done until 1818, for in that year Dr. Strachan advertised a course of popular lectures on natural philosophy at two guineas the course, the proceeds to be laid out in painting the District School. Apropos of this, Gourley, in his "Sketches of Upper Canada," remarks: "Schools and Colleges, where are they? Few, yet painted, though lectures on natural philosophy are now abundant."—*The Old Blue School, by Mr. J. Ross Robertson.*

through ten windows on the north and south sides, five above and five below, while the east end was pierced by four, two above and two below, and the west end was honoured by the entrance door, with three windows above and two to the south of the doorway, the lintel of which was scraped hourly by the juvenile horde that made the welkin ring, as at close of the school day they eagerly sought the unconstrained atmosphere of the six-acre playground. The boards which covered the stout frame timbers had been smoothed by a vigorous jack-plane, and thus yielded more gracefully than when in the rough to the arm of the painter who, brush in hand, at a low price per yard, covered the entire outside with a dull slate blue, that defied not only the scorching sun, but the Arctic frost of the old time Canadian winter. To vary the monotony of colour, the door and window frames were painted white, a not uncommon mode of treatment in early buildings, by the deft artists of York. Surely it has been by right inscribed in print as "The Old Blue School." The designer had not much difficulty in apportioning the space at his disposal. Once inside the door, the pupils found themselves in a long lobby that extended from the north to the south sides of the building, the only decoration of which was a long row of iron pegs and brackets for the hats, caps and coats of the pupils. At the east side of the lobby a stairway ran up to the second storey, which was not used for school purposes, but served occasionally as a public hall for concerts and lectures. An ordinary door opened from the lobby into the lower schoolroom of 60x40. It was a roomy apartment, with the conventional plastering of the period. The right angles made by the walls and ceiling were not ornamented with the moulded projections or curved lines of cornice work; indeed, the severity of treatment was doubtless intended to prevent dust and cobwebs accumulating in the corners, that are special targets for the activity of the broom. The stringers, which grasped the frame of the building, and which, in turn, strengthened the roof, had additional support in four square upright pillars of pine, which rested on a stone foundation, and within a few feet of the angles of the room, helped to support not only the main roof but the ceilings of the upper and lower schoolroom. The guiding mind in the schoolroom occupied an elevated position behind a "longish" desk, that commanded a full view of the pupils. . . . The furniture of the room was in harmony with the wood-work. Friendly as had been the painter's brush with the exterior of the structure, it was a perfect stranger—indeed, had not ever had a bowing acquaintance with the interior. The wood-work that was exposed bore evidence that the active and regular movements of the carpenter's elbow had made rough places smooth, and rendered the pine presentable, and it was not many months ere both the wood-work of the building and the furniture caught that dark sienna look, which is the sombre result of smoke, dirt and age. The benches and desks were ranged on the north and south sides of the room.

Every boy owned an ink cup of glass, which dropped into an augur hole the size of a half-penny, was replenished as regularly as the supply was exhausted. . . . The faces of the boys at these side desks were turned towards the wall, while on each side of the centre of the room was a set of double, sloped desks. In the centre stood a long box stove of government pattern that swallowed the beech and maple without the aid of the bucksaw. The school was as all primitive schools are. The boys were as varied in character as those of to-day. Studious lads were commended by the Master. Those who struggled and persevered were strengthened by a kindly word, while the perverse youth, who could but would not digest the mental diet, was invigorated and quickened into activity by the aid of rods, cut from the McGill and Jarvis property which lay north of Lot street, and at a later day by the assistance of a strap. . . . The old pioneer, who relates to the writer so many of the incidents of early York, smiles as he recites his efforts to cut, carve and engrave with the aid of a jack-knife, his name in the slant of one of the pine desks, and he declares that a photographic view of any of the desks in the school would pass for the hieroglyphics on some Egyptian monolith, such as are found in the excavated cities of Antony and Cleopatra. Other volumes have told the story of the loved old Schoolmaster, whose familiar face and careful step are bright in the memory of hundreds of to-day. There are still among us those who remember Dr. Strachan, not only when in the serene and yellow of old age, but in active and lithe youth, either presiding over the Primal School in Cornwall, or as director and central figure of the District School at York.

#### EXAMINATION OF THE HOME DISTRICT GRAMMAR SCHOOL IN 1816.

So much discussion and legislation having taken place, chiefly in the House of Assembly, during the years 1807-1816, in regard to the District (Grammar) Schools, the following account of an annual examination of the Home District, or "Old Blue School" at York, (taken from the *York Gazette*)—will be appropriate here. At the time of this examination, the Rev. Dr. Strachan was Head Master



The subjects and scope of the examination show what a wide range of subjects was embraced in the programme, and in addition to the curriculum of the school. The Rev. Dr. Scadding, in his *Toronto of Old*, thus explains why it was that the range of studies and of exercises in the school was so wide:—

It will be seen from the matters embraced in the programme that the object aimed at was a speedy and real preparation for actual life. The Master, in this instance, was disembarassed of the traditions which . . . often rendered the education of a young man a cumbersome, unintelligent and tedious thing, (Page 160.)

As to the “parliamentary debates” feature of these annual examinations, Dr. Scadding, in his *First Bishop of Toronto, a Review and a Study*, says:—

The leading speeches of the great statesmen of England on special occasions were learned and delivered memoriter in proper order. Both sides of a discussion of interesting subjects in politics became thus to some extent familiar. The speakers on the occasion of “debates” were seated on benches set out for the purpose opposite to each other. It was with scenes such as these that the first mentioned of the historic names of Pitt, Fox, Pultney, Wyndham, Burke, Wellington the two Walpoles, (Robert and Horace,) Wilberforce and others, was associated in the minds of many of the (after) public men of Upper Canada. These debates too formed a part of the grand demonstration on the annual prize days before the summer vacation, (Page 23.)

Mr. J. ROSS ROBERTSON, in his history of the “*Old Blue School*” of York, says:—

Parliamentary debates were of frequent occurrence in the school. On ordinary occasions these took place in the main school room, but on public days they were held upstairs. These debates consisted of the delivery of speeches somewhat abridged which had been made in the House of Commons.

In addition to the influence on these young minds of such historic names in modern English history, as Dr. Scadding has noted, the additional influence on the thought, style and manner of these young Canadians of familiarity with the very language of these famous men, must have been potent factors in their after career on the Bench, at the Bar, and in the Army.

In an elaborate letter from Rev. Dr. Strachan to the Rev. A. N. (Bishop) Bethune, written in 1829, on the “Management of Grammar Schools,” he thus explains his mode of proceeding in conducting the elocution classes,—in which the “parliamentary debates” were practiced. He said:—

This class consisted of such boys as were . . . already tolerable readers. Two of these, in rotation, challenged each two boys to read a passage either in prose or verse. The challenge was given one Monday, to be answered the next, and cou’d not be refused. The challengers selected different pieces from Walker, Murray, or the English Readers, etc. Thus six boys out of the class read every Monday, and the best readers were marked in the Register . . . His class never failed to keep up a degree of excitement.

In addition to this method, debates were formed out of the elocution class . . . After one or two trials, the day of decision was appointed, and the debate or debates, were heard in the presence of the whole school. It is not easy to describe the excitement which generally appeared on such occasions. The greatest attention was paid to the different speakers. The Master commonly appointed a committee to mark the smallest error, and he was himself careful to note every impropriety in tone, sense, or accuracy. When the debate was over, he compared his remarks with those of the Committee, and after weighing carefully both sides, he pronounced his decision. So perfect were the debates often that it was extremely difficult to determine in favour of either side. . . . Perhaps, the warm interest taken by the Master in these exercises gave them more importance with the boys, for, in a long series of years they never ceased to be exceedingly popular, although they were attended with much labour. . . .



ORDER OF THE EXAMINATION OF THE SCHOOL OF THE HOME DISTRICT, AT YORK,  
7TH AUGUST, 1816.\*

*Catechism Class.*

John Skeldon : Beggar's Petition ; Henry Mosley : The Man of Ross.

*First and Second English Reading Classes.*

John Doyle : Barber and Dean Swift ; George Skeldon : Sir Balaam.

*Third and Fourth English Reading Classes.*

The Debate.—Who was the greatest Benefactor of the present age ?

Charles Heward (Dr. Johnson), James Myers (Mr. Burke), John Ridout (Lord Nelson), Charles Ridout (Mr. Wilberforce), John Fitzgerald (Duke of Wellington), John Mosley (Dr. Jenner).

*Class in English Grammar and in Latin Rudiments.*

Saltern Givens : The Ross ; James Sheehan : Maria ; Henry Heward : My Name is Norval ; Allan McDonell : The Good Child ; William Allan : Do not mock the Old, etc. ; John Boulton : Ant and Grasshopper ; William Myers : On Cleanliness ; James Bigelow : On Cleanliness ; William Baldwin : The Girl and Looking Glass ; St. George Baldwin : Humanity.

*Class in Corderius' Colloquies, and in Cornelius Nepos.*

K. De Koven : The Female Exile ; John Knott : Fox and Pitt.

*Class in Arithmetic and in Book Keeping.*

James Givens : The Soldier's Dream ; Horace Ridout : The Patriot.

*Class in Euclid.*

William Lancaster : The Contest between Eyes and Nose ; James McGill Strachan : Eulogy on Pitt.

Then follows in classes in Geography, Natural History and Civil History.

*Class in Religion.*

A Parliamentary Debate in 1740, (George 2nd's time) on a bill for preventing merchants from raising the wages of seamen in time of war, and thereby inducing them to avoid His Majesty's service.

Sir Charles Wagor, William Lancaster ; Mr. Fox, David McNabb ; Sir Robert Walpole's 1st Speech, John Harraway ; Sir John Bernard's 1st Speech, James McGill Strachan ; Sir Robert Walpole's 2nd and 3rd Speeches, Robert Baldwin ; Mr. Gibbon ; Henry Nelles ; Sir John Bernard's 2nd Speech, Horace Ridout ; Mr. Pitt's Speeches, John Claus ; Sir John Bernard, Warren Claus ; Mr. Horace Walpole, David Shaw ; Mr. Winnington, Daniel Murray ; Mr. Littleton, James Givins ; Epilogue by Master Robert Baldwin.

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\*The prologue by John Claus is inserted at the end of the programme.

## PROLOGUE BY MASTER JOHN CLAUS.

The noble fire which palsied Briton's foes,  
 In kind affection on her children glows,  
 Her gen'rous hand their various wants supplies  
 Tho' far remov'd to cold or burning skies ;  
 Lo ! in the East, where Brahma's guilty pow'r  
 And Mecca's Lord with thickning darkness low'r,  
 Where tyrant custom cloth'd in terror reigns  
 And Superstition forges baneful chains  
 Where hope itself to Genius is denied,  
 And dastard men to slavish cases are tied,  
 Great Albion smiles, the beams of science rise  
 To cheer the Soul beneath these Orient Skies,  
 Her mighty Viceroys point the glorious sway  
 For radiant truth to gain imperial way,  
 The Arts and Sciences for ages lost,  
 Rous'd at their call revisit Brahma's coast ;  
 Peace, liberty and justice from the train  
 That wait on knowledge thro' this rich domain,  
 Dark Superstition trembles at the sight,  
 Mahomet shrinks and damns the hated light ;  
 Nor on the East alone does Britain smile,  
 Her strong affection warms this Western Soil,  
 For Science rising in the gloomy woods  
 Begins to dissipate the lowering clouds  
 And many proudly in her service glow  
 As here we hope by solid proof to glow.  
 To-day you find her radiant course begun,  
 Yet much remains for some aspiring Son,  
 Whose liberal Soul from that desires renown  
 Which gains for Wellesley a lasting crown ;  
 Some gen'ral structure in these wilds to rear  
 When every Art and science may appear.  
 O happy Gore ! this proud distinction woos  
 Thy quick acceptance, back'd by every Muse,  
 Those feelings too when joyful fancy knew  
 When learning's gems first opened to my view .  
 Bid you to thousands smooth the stormy road  
 Which leads to gracious Science's sweet abode.  
 O think ! what honour pure shall bless thy name  
 Beyond the fleeting voice of vulgar fame,  
 When Kings and haughty Victors cease to raise  
 The secret murmur, or the venal praise  
 Perhaps that name, when Europe's glories fade  
 Shall often charm this Academic shade,  
 And bards exclaim on rough Ontario' shore  
 We found a Wellesley and Jones in Gore.\*

COURSE OF STUDY SUGGESTED BY THE REV. DR. STRACHAN AS SUITABLE FOR  
DISTRICT GRAMMAR SCHOOLS.

The Rev. Dr. Strachan, in his letter to the Rev. A. N. Bethune, thus sketched  
 a course of study for Grammar Schools, based on his own practice and experience.

*First Year—Boys from 7 to 9.*

1st. *Latin*.—Eton Grammar ; Vocabulary ; Corderius ; Selectæ e Profanis.

2nd. *English*.—Mavor's Spelling Book ; Enfield's Lessons ; Walker's Lessons ; Murray's  
 Lessons ; Blair's Class Book ; English Grammar ; Writing ; Arithmetic, chiefly mental.

\*The Lieutenant-Governor at this time—Francis Gore, Esquire, and Sir William Jones.

*Second Year—Boys from 9 to 11.*

1st. *Latin*.—Grammar ; Valpy's *Delectus* ; *New Testament* ; Daley's *Exercises* ; *Exempla Minora* ; *Eutropius* ; *Phædrus* ; *Cornelius Nepos*.

2nd. *English*.—Grammar and Reading, as before ; Writing and Arithmetic (mental and mixed) ; Geography ; Civil and Natural History and Elocution.

3rd.—To commence French.

*Third Year—Boys from 11 to 13.*

1st. *Latin*.—Grammar ; Bailey's *Exercises* ; *Cornelius Nepos* ; *Caesar* ; *Ovid's Metamorphoses* ; *Nonsense Verses* ; *Psalms into Latin Verse* ; *Exempla Moralia* ; Versions, or rendering English into Latin.

2nd. *Greek*.—To commence about the middle of the third year : *Eton Grammar*, or *Nelson's edition of Moore's Grammar* ; *Greek Vocabulary* ; *New Testament* ; *Greek Exercises*.

3rd. *English*.—Grammar ; Writing ; Elocution ; Civil and Natural History ; Geography Ancient and Modern ; English Composition.

4th. *Arithmetic*.—And to commence Algebra.

5th. *French*.

*Fourth Year—Boys from 12 to 14.*

1st. *Latin*.—Grammar ; *Terence* ; *Virgil* ; *Horace* ; *Sallust* ; *Cicero* ; *Livy* ; Latin composition, verse and prose ; *Grotius de Veritate* ; *Exempla Moralia*.

2nd. *Greek*.—*Eton Grammar* ; *Græca Minora* ; *Greek and Latin Testament* ; *Xenophon* ; *Homer*.

3rd. *English*.—Grammar and Composition ; Civil and Natural History ; Geography, Ancient and Modern ; use of the globes ; construction of maps.

4th. *Mathematics*.—Arithmetic ; Book-keeping ; Algebra ; *Euclid*.

5th. *French*.

*Fifth Year—Boys from 14 to 16.*

1st. *Latin*.—*Virgil* ; *Horace* ; *Livy* ; *Juvenal* ; *Tacitus* ; Composition, in prose and verse.

2nd. *Greek*.—*Græca Majora* ; *Homer* ; *Thucydides* ; Composition, in prose and verse.

3rd. *English*.—Grammar and Composition ; Elocution ; Civil and Natural History ; Geography, Ancient and Modern ; Use of the globes ; Construction of maps.

4th. *Mathematics*.—Algebra ; *Euclid* ; Trigonometry ; Application to heights and distances ; Surveying ; Navigation ; Dialling ; Elements of Astronomy, etc.

5th. *French*.

In his practical remarks on this course of study, Dr. Strachan said :

It will be seen by inspecting this course of study that the boys, during the first years, are carefully exercised in reading their own language, and they continue to be so exercised until they are fit to be removed into the Elocution class.

After pointing out what he, by experience, found to be the proper time given to classes in Writing, Arithmetic, etc., he added :

The classes in Civil History, Geography, Natural History, English Grammar and Composition, embracing a period of five or six years, cannot fail of producing great intellectual improvement. Besides, the number of branches of knowledge recommended, in addition to classical literature, is not only suitable to the present age, but affords almost a certainty that every pupil will find some one at least adapted to his taste and capacity, and in which he may excel.

As to Dr. Strachan's experience in giving this opinion and advice, he says :

In presenting a detailed account of the mode of carrying this course of study into effect, I do not indulge in any imaginary process, but give the actual practice of a school which flourished twenty-five years in this Province. . . . *Letter to Rev. A. N. Bethune, 1829.* (Pages 5-9, and 24, 25.)



## MIDLAND DISTRICT BOARD OF EDUCATION.\*

His Excellency the Lieutenant-Governor has been pleased to appoint the undermentioned gentlemen to be Members of the Board of Education for the Midland District, under the authority of the [ninth section of the] Act passed at the last Session of the Legislature for the establishment of Common Schools, viz. : The Reverend George Okill Stuart, and Messieurs Allen McLean, Peter Smith, Alexander Fisher and James McNabb.

By Order,

LIEUTENANT-GOVERNOR'S OFFICE,  
YORK, 1st of August, 1816.

EDWARD McMAHON,  
Secretary.

## OPENING OF THE KINGSTON LIBRARY, 1816.

The Kingston Library will be open every Monday from 11 o'clock a.m. until ten o'clock p.m. at the Court House.

Subscriptions for reading will be received by the treasurer, Mr. William Mitchell, at thirty shillings per year, or ten shillings per quarter, payable on subscribing, and a deposit left with the treasurer of five pounds as a security against the loss of books.

Subscribers are to consider themselves subject to the rules of the Library.

Persons having in their possession books belonging to this Library are requested to return them into the Library without delay.

KINGSTON, February 1, 1816.

CHARLES ANDERSON,  
Secretary.

## CHAPTER XXVII.

## EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1817.

On the 4th of February, 1817, Francis Gore, Esquire, Lieutenant-Governor, opened the first session of the Seventh Parliament of Upper Canada with the usual Speech from the Throne. In it he did not refer to either education or schools.

A good deal of discussion, however, took place on the subject of both, and efforts were made to amend the District (Grammar) School Act of 1807, and the Common School Act of the year before. These efforts were abortive, as the session was abruptly closed by the Lieutenant-Governor. (See note on page 114.)

## PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1817.

As this was a new Parliament, several new names appear as Members of the House of Assembly. Among those who took part in its educational proceedings were most of the old members and a few of the new, as follows : Messieurs Jonas Jones, Robert Nichol, Philip VanKoughnet, Peter Robinson, George B. Hall, Mahlon Burwell, Robert Nelles and Isaac Fraser.

Mr. ROBERT NICHOL was elected for the County of Norfolk in 1813, 1817, and in 1820. He distinguished himself as Quartermaster-General in the war of 1812, and received a gold medal for his conduct at the capture of Detroit. He lost his life in May, 1824, by driving over the cliff between Stamford and Queenston in a stormy night.

\* Similar appointments were made under the Act of 1816 in the other Districts by the Lieutenant-Governor.

Mr. PHILIP VANKOUGHNET was elected a Member of the House of Assembly in 1817, 1820 and 1825. He was afterwards appointed a member of the Legislative Council.

Mr. PETER ROBINSON represented the East Riding of York in 1817 and 1820. "He was instrumental in settling the region in which our Canadian Peterborough is situated, and from him that town has its name." (Rev. Dr. Scaddings' *Toronto of Old*, page 483.)

Mr. JONAS JONES took part in the war of 1812. He was elected for the County of Grenville in 1817, 1820, 1825, and for Leeds in 1836. In the following year he was appointed a Puisne Judge of the Court of Queen's Bench. He died in 1848.

21st February, 1817.—Mr. Jonas Jones gave notice that he will, on Monday next, move for leave to bring in a Bill to amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled "An Act to establish Public Schools in each and every District in this Province, to extend the provisions thereof, and for other purposes therein mentioned."

28th February, 1817.—Agreeably to notice, Mr. Jonas Jones, seconded by Mr. Robert Nichol, moved for leave to bring in a Bill to amend and extend the provisions of an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled, "An Act to establish Public Schools in each and every District in this Province," which was granted, and the Bill was read a first time.

Mr. Jonas Jones, seconded by Mr. Philip Van Koughnet, moved that the Bill to amend the District (Grammar) School Act of 1807 be read a second time to-morrow, which was ordered.

1st March, 1817.—Mr. Jonas Jones, seconded by Mr. Peter Robinson, moved, That James Durand, Esquire, a Member of this House, after being heard in his defence, while the House take into consideration an Address of the fourteenth ultimo, published in the *St. David's Spectator*, of which he is the reputed author. This motion was carried.

Mr. Robert Nichol, seconded by Mr. Jonas Jones, moved that the address, signed "James Durand," to the Independent Electors of the County of Wentworth, as published in the *St. David's Spectator* of the fourteenth of February last, be now read, which was carried, and the paper was read [that part relating to schools was] as follows: "The Common School Bill which passed into a law last year, was one in which I, likewise, took a very active part. I was one of the Committee that introduced it through its various stages, though I believe the merit has been once claimed by John Willson (of Saltfleet), and since transferred entirely out of the House of Assembly, and is now to rest on the Atlantean shoulders of the Rev. Dr. Strachan, of York. You are, however, not to mind what the versatile chameleons of corruption may please to say. The truth lies as I have stated, and the Journals of the House will prove it. To these I challenge reference."

"I likewise opposed the old District (Grammar) School Bill (1807), brought in, unprecedentedly, twice in the last Session, first with one thousand pounds (£1,000) a year additional for supporting a few students in Divinity, and lastly with five hundred pounds (£500) a year for the same purpose, leaving it in such a way that the teachers were to have their salaries whether they had one school or not, and behold we find that immaculate, reformed, refined gentleman, loyal squire, Inspector John Willson!! of Saltfleet, the man to second this notorious Bill. . . . To the honour of the majority of the House, this Bill was rejected with contempt."\*

5th March, 1817.—Agreeably to the Order of the Day, the District (Grammar) School Amendment Bill was read a second time.

Mr. Jonas Jones, seconded by Mr. Peter Robinson, moved that the House do now resolve itself into a Committee of the Whole, to take into consideration the said District School Bill amendment, which was agreed to, and the House went into Committee, Mr. Robinson in the chair.

\* This House of Assembly declared that the Address, (of which the above are extracts), was a libel on Members of the House, and sentenced Mr. Durand to be imprisoned during the remainder of the Session of 1817. He was afterwards expelled from the House, but was re-elected to it in 1818. It is rather a singular coincidence that this same Mr. Durand was foremost in his denunciation of Mr. Robert Gourley for his alleged "libel" on the House of Assembly in 1819. (See Proceedings of the House under date of July 3, 1819.)

Mr. Speaker having resumed the Chair, Mr. Robinson reported progress, and obtained leave to sit again to-morrow.

Mr. George B. Hall gave notice that he will, on Monday next, move for leave to bring in a Bill to alter and amend the Common School Act, now in force within this Province.

10th March, 1817.—Agreeably to the Order of the Day, the House went into Committee on the District (Grammar) School Amendment Bill, Mr. Robinson in the chair.

Mr. Speaker having resumed the Chair, Mr. Robinson reported progress, and obtained leave to sit again to-morrow.

12th March, 1817.—On the Order of the Day for Mr. Robert Nelles' motion for the Common School Bill being called, Mr. G. B. Hall, seconded by Mr. Robert Nichol, moved that so much of the Order of the Day as relates to bringing in an amendment to the Common School Bill be now discharged, which was ordered.

Agreeably to the Order of the Day, the House went into Committee on the District School Amendment Bill, Mr. Robinson in the chair.

Mr. Speaker having resumed the Chair, Mr. Robinson reported the District School Amendment Bill as amended. The report was received *nem. con.* Present: Messieurs Joshua Cornwall, Peter Robinson, Isaac Swayze, Rolph Clench, Jonas Jones, Philip Van Koughnet, Mahlon Burwell, George B. Hall, John Cameron, Alexander McMartin, Willet Casey, Peter Howard, David Secord, John McDonell, Robert Nelles, William McCormick, Robert Nichol, Isaac Fraser, James Cotter and John Cryslar.

Mr. Nichol moved, seconded by Mr. Burwell, that the District School Amendment Bill be engrossed and read a third time to-morrow, which was ordered.

13th March 1817.—On the third reading of the District School Amendment Bill being called, Mr. Nichol, seconded by Mr. Hall, moved that the said School Bill be now recommitted, which motion was carried, and Mr. James McNabb took the chair of the Committee.

The Speaker having resumed the Chair, Mr. McNabb reported the said Bill as amended. Ordered, that the Report be received.

Mr. Nichol, seconded by Mr. Hall, moved that the District School Amendment Bill be engrossed, and read a third time to-morrow, which was ordered.

14th March, 1817.—The Order of the Day for third reading of the District School Amendment Bill being called,

Mr. Nichol, seconded by Mr. Nelles, moved that the said District School Amendment Bill be re-committed, which was carried. Mr. Robinson took the chair.

Mr. Speaker having resumed the Chair, Mr. Robinson reported the said Bill as amended. Ordered, that the Report be received.

Mr. Nichol, seconded by Mr. Hall, moved that the said School Bill be engrossed, and read a third time on Monday next, which was ordered.

Mr. Jones, first named of the Committee to carry up to the Legislative Council the Bill intituled "An Act to repeal part of, and amend the laws, now in force for establishing District Schools in the several Districts of this Province, and further to extend the provisions of the same and also to appropriate certain sums of money for the purposes therein mentioned" and pray their concurrence therein, reported that they had done so.

17th March, 1817.—Agreeably to the Order of the Day, the School Bill was read the third time. Mr. Jones, seconded by Mr. Nichol, moved that the School Bill do now pass, and that it be intituled "An Act to repeal part of and amend the laws now in force for establishing District Schools in the several Districts of this Province, and further to extend the provisions thereof, and also to appropriate certain sums of money for the purposes therein mentioned." Which was carried and the Bill signed by the Speaker.

Mr. Burwell, seconded by Mr. Nichol, moved that Messrs. Jones and Hall be a Committee to carry up to the Honourable the Legislative Council, the District School Amendment Bill and to request their concurrence thereto. Which was ordered.

20th March, 1817.—The following Message from the Legislative Council was received:—

MR. SPEAKER :

The Honourable the Legislative Council request a conference with the Commons House of Assembly on the subject matter of a Bill, sent up from them, for the concurrence of this House, intituled "An Act to repeal part of, and to amend the laws, now in force for establishing District Schools in the several Districts of this Province and further to extend the provisions of the same, and also to appropriate certain sums of money for the purposes therein mentioned."



The Committee of the Honourable the Legislative Council, consisting of two members, will be ready to meet the Committee of the Commons' House of Assembly in the Legislative Council Chamber at ten o'clock of the forenoon of to-morrow.

WM. DUMMER POWELL,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
20th March, 1817.

Mr. Robert Nichol, seconded by Mr. Isaac Fraser, moved that it be resolved that the Bill sent to the Honourable the Legislative Council from this House, intituled "An Act to repeal part of, and to amend the laws, now in force for establishing District Schools in the several Districts of this Province, and further to extend the provisions of the same, and also to appropriate certain sums of money for the purposes therein mentioned," being a money Bill, this House cannot accede to the request of the Honourable the Legislative Council for a conference upon the subject matter thereof, and hope that the reason now assigned will be sufficient. Which was carried and resolved accordingly.

Mr. Burwell, seconded by Mr. Nelles, moved that Messieurs Robinson and Crysler be a Committee to carry up to the Honourable the Legislative Council the Resolution of this House in answer to their Message of this day. Which was ordered.

28th March, 1817.—Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable the Legislative Council the Bill intituled "An Act to repeal part of, and amend the laws, now in force for establishing District Schools in the several Districts of this Province, and further to extend the provisions of the same; and also to appropriate certain sums of money for the purposes therein mentioned." Sent up from this House, which they had passed with some amendments, which they recommended to the adoption of this House.

31st March, 1817.—Mr. Peter Robinson gave notice that he will, on to-morrow, move for leave to bring in a School Bill.

NOTE.—This Bill was, however, not brought in, as the Legislature was summarily prorogued on the 7th of April by Lieutenant-Governor Gore.

The cause of this sudden and unexpected procedure was Lieutenant-Governor Gore's objection to an enquiry into "the State of the Province," which had just then commenced a few days previously in the House of Assembly.\*

## CHAPTER XXVIII.

### PROCEEDINGS OF THE UPPER CANADA HOUSE OF ASSEMBLY IN 1818.

NOTE.—There being no record of the proceedings of the Legislative Council of 1818 preserved in either of the Parliamentary Libraries at Ottawa or Toronto, I shall be unable to insert any of its proceedings here, except such messages from the Council as may be recorded in the proceedings of the House of Assembly.

The Lieutenant-Governor, Francis Gore, Esquire, left for England early in 1817, "not recalled," (Rev. Dr. Scadding says, in his *Toronto of Old*, page 361), "as it would seem, but purposing to give an account of himself in his own person." He

\*Mr. McMullen, in his *History of Canada* (1891), thus describes the event: "Eleven resolutions had been framed for the consideration of the Assembly; the first three of which were merely of a prefatory character, and adopted after some discussion. The Assembly then adjourned until the following Monday morning, the 7th of April. It had just met, and the minutes were about to be read, when, without previous notice, the members were summoned to the bar of the Legislative Council, where Gore awaited them and at once proceeded to prorogue the House in a brief speech of three paragraphs in length." (Volume I, page 427.) The members who promoted the enquiry were Messieurs Nichol, Burwell, Robinson, Fraser and Cameron. The two resolutions on the subject was carried by a vote of thirteen to six.

never returned." On Governor Gore's leaving Canada, the Honourable Samuel Smith, a Member of the Legislative Council, became, not President, but Administrator of the Government. On the fifth of February, 1818, he opened the second session of the Seventh Parliament with the usual Speech from the Throne. In it he made no reference either to schools or to education.

The members who took part in the educational legislation of 1818 were Messieurs Philip VanKoughnet, Peter Robinson, John Cameron, Isaac Fraser, James Cotter, Mahlon Burwell, James Durand, David Secord, Jonas Jones, John Cryslers, Robert Nelles, George B. Hall, Zaccheus Burnham and Peter Howard. The best known of these members I have already referred to.

*9th February, 1818.*—Mr. Philip VanKoughnet gave notice that he will, on to-morrow, move for leave to bring in a Bill to alter and amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled "An Act to establish Public Schools in each and every District of this Province," and to extend the provisions of the same.

*10th February, 1818.*—Agreeably to the Order of the Day, Mr. Philip VanKoughnet, seconded by Mr. Peter Robinson, moved for leave to bring in a Bill to alter and amend an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled "An Act to establish Public Schools in each and every District of this Province," and to extend the provisions of the same. Which was agreed to, and the Bill was read the first time.

Mr. Philip VanKoughnet, seconded by Mr. John Cameron, moved that the District (Grammar) School Amendment Bill be read a second time to-morrow. Which was ordered.

*11th February, 1818.*—Agreeably to the Order of the Day, the District (Grammar) School Amendment Bill was read the second time.

Mr. Philip VanKoughnet, seconded by Mr. Isaac Fraser, moved that the House do now resolve itself into a Committee of the whole to take into consideration the District (Grammar) School Amendment Bill. Which was agreed to, and the House went into Committee, Mr. James Cotter in the chair.

The House having resumed, Mr. Cotter reported progress and had leave to sit again to-morrow.

*12th February, 1818.*—The House went into Committee on the second reading of the District (Grammar) School Amendment Bill, Mr. James Cotter in the chair.

The House having resumed, Mr. Cotter reported the Bill as amended. Ordered, That the Report be received. Mr. VanKoughnet, seconded by Mr. Robinson, moved that the District (Grammar) School Amendment Bill be engrossed and read a third time to-morrow. Which was ordered.

*13th February, 1818.*—Mr. Peter Robinson, seconded by Mr. Philip VanKoughnet, moved that the Order of the Day as relates to the third reading of the District (Grammar) School Amendment Bill be discharged. Which was carried.

(NOTE.—For some unexplained reason, this Grammar School Amendment Bill, originally introduced by Mr. Philip VanKoughnet, was, with his consent as seconder of the motion, dropped. The Bill introduced on the next day by Mr. Burwell proposed to entirely repeal the Act of 1807, which Mr. VanKoughnet's Bill just dropped, only proposed to amend. After Mr. Burwell had introduced his Grammar School Repeal Bill, Mr. VanKoughnet sought to reconsider, or rather reintroduce, his Bill. This he did after Mr. Burwell's repeal Bill had been rejected. It is possible that an agreement had been entered into between Mr. VanKoughnet and Mr. Burwell thus to test the views of the House on the subject of an amendment to the District (Grammar) School Act of 1807, or its total repeal. No reason is, however, assigned for the proceeding.)



*14th February, 1818.*—Mr. Mahlon Burwell, seconded by Mr. James Durand, moved for leave to bring in, on Monday next, a Bill to repeal the laws (of 1807 and 1808) now in force to establish Public (Grammar) Schools in each and every District of this Province. On which the House divided, and the yeas and nays were as follows :—

YEAS.—Messieurs Cotter, Casey, Durand, Swazey, McMartin, Burwell, Hatt, Secord, Nelles and McDonell, 10.

NAYS.—Messieurs Jones, VanKoughnet, Fraser, Cameron, Crysler, Howard, Clench and Burnham, 8.

The motion was carried in the affirmative by a majority of two, and was so ordered.

Mr. Philip VanKoughnet gave notice that he will, on Monday next, move that the House do resolve itself into a Committee to re-consider the District (Grammar) School Amendment Bill which he had introduced.

*16th February, 1818.*—Agreeably to the Order of the Day, Mr. Mahlon Burwell's District (Grammar) School Repeal Bill was brought in and read.

Mr. Mahlon Burwell, seconded by Mr. David Secord, moved that the Bill to repeal the District Grammar School Bill be read a second time to-morrow. In amendment to which Mr. Jonas Jones, seconded by Mr. John Crysler, moved that the word "to-morrow" be expunged, and that "this day three months" be inserted. Which was carried.

Agreeable to notice, Mr. Philip VanKoughnet, seconded by Mr. James McNabb, moved that his District (Grammar) School Amendment Bill be now recommitted. Which was carried, and Mr. James Cotter took the chair of the Committee.

The House having resumed, Mr. Cotter reported progress, and had leave to sit again to-morrow.

*18th February, 1818.*—Agreeably to the Order of the Day the House went into Committee on the District (Grammar) School Amendment Bill.

*20th February, 1818.*—Agreeably to the Order of the Day, the House went into Committee on the District Grammar School Amendment Bill, Mr. Cotter in the chair.

The House having resumed, Mr. Cotter reported the Bill amended. Ordered, That the report be received. Mr. Philip VanKoughnet, seconded by Mr. Peter Robinson, moved that the District (Grammar) School Amendment Bill be engrossed and read a third time on Tuesday next. Which was ordered.

*24th February, 1818.*—Agreeably to the Order of the Day, the District (Grammar) School Amendment Bill was read the third time.

Mr. Philip VanKoughnet, seconded by Mr. Jonas Jones, moved that the said School Bill do now pass, and that it be intituled "An Act to repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and further to extend the provisions of the same." Mr. John Crysler, in amendment, seconded by Mr. Peter Robinson, moved that the District (Grammar) School Amendment Bill do not now pass, and that the same be re-committed. On which the House divided, and the Yeas and Nays were taken, as follows :—

YEAS.—Messieurs Robinson and Crysler—2.

NAYS.—Messieurs Swayze, Jones, VanKoughnet, Durand, Cameron, Hatt, McMartin, Burnham, Burwell, Howard, McDonell, Cotter and Nelles—13.

It was carried in the negative by a majority of eleven. The original question was then put and carried, and the Bill was signed by the Speaker.

Mr. Mahlon Burwell, seconded by Mr. Robert Nelles, moved that Messieurs VanKoughnet and Cameron be a Committee to carry up to the Honourable the Legislative Council the District School Amendment Bill, and to request their concurrence therein. Which was ordered.

Mr. Philip VanKoughnet, of the Committee to carry up to the Honourable the Legislative Council the Bill intituled "An Act to repeal part of, and to amend, the laws now in force for establishing District Schools in the several Districts of this Province," and to request their concurrence thereto, reported having done so.

*3rd March, 1818.*—Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable the Legislative Council a Message, which was read as follows :—

MR. SPEAKER:

The Honourable the Legislative Council return to the House of Assembly a Bill, intituled "An Act to repeal part of the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province," which they have passed with some amendments, which they recommend to the adoption of the House of Assembly.

WM. DUMMER POWELL,  
Speaker.



Mr. Mahlon Burwell, seconded by Mr. George B. Hall, moved that it be resolved that, as the amendments made by the Honourable the Legislative Council to the District School Repeal Bill do not, in any manner, affect the raising, or disposing, of money, this House will not exercise its undoubted right to reject all amendments made to money Bills, and that the said amendments be now read. Which was carried, and the amendments made by the Legislative Council to the Bill intituled, "An Act to repeal part of, and to amend, the laws now in force for establishing District Schools in the several Districts of this Province," were then read the first time.

Mr. Jonas Jones, seconded by Mr. Zaccheus Burnham, moved that the amendments to the District (Grammar) School Amendment Bill be read a second time to-morrow. Which was ordered.

*4th March, 1818.*—Agreeably to the Order of the Day, the amendments to the Bill intituled, "An Act to repeal part of, and to amend, the laws now in force for establishing District (Grammar) Schools in each and every District of this Province," were read the second time.

Mr. Jonas Jones, seconded by Mr. Mahlon Burwell, moved that the House do now resolve itself into a Committee of the Whole, to take into consideration the amendments made by the Honourable the Legislative Council to the said District (Grammar) School Bill. Which was carried, and Mr. James Durand took the chair of the Committee.

The House having resumed, Mr. Durand reported the amendments.

Mr. Philip VanKoughnet, seconded by Mr. James Fraser, moved that the Report be not received. Which was lost. The original motion was then put, and the House divided thereupon, when the Yeas and Nays were taken down, as follows:—

YEAS.—Messieurs Clench, Durand, McDonell, Robinson, Hatt, McMartin, Howard, Jones, Burwell, Burnham, Secord, Nelles, Cotter and Crysler—14.

NAYS.—Messieurs VanKoughnet, Fraser, Cameron and Casey—4.

It was carried in the affirmative by a majority of ten, and the amendments were adopted.

Mr. Mahlon Burwell, seconded by Mr. Peter Howard, moved that Messieurs Durand and Hatt be a Committee to acquaint the Honourable the Legislative Council that this House has adopted the amendments made by their Honourable House to the District (Grammar) School Amendment Bill. Which was ordered.

Mr. Isaac Fraser, seconded by Mr. Peter Robinson, moved that the Petition of the Honourable and Reverend John Strachan, praying for aid towards the education of Church of England Divinity students, be now read.

NOTE.—This Petition had been presented to House of Assembly and laid on the Table of the House on the 26th February, 1818.

Which was agreed to, and the Petition was read as follows and referred.

*To the Honourable the Commons House of Assembly of Upper Canada, in Provincial Parliament Assembled.*

*The Petition of John Strachan, D.D., Humbly sheweth,*

That your petitioner has been nearly twenty years engaged in the education of the youth of this Province, and with a degree of success which your Honourable House can now sufficiently appreciate.

That he has been frequently applied to by the parents of the pupils, not only to advise them as to their future destination, but to assist in settling them in the world.

That next to the Professions of the Law and Commerce, the Church offers a growing provision for the young men of this Province, but, from the nature and length of the preparation, almost entirely beyond their reach, as their parents are unable to support them so long unemployed, this difficulty operates in some instances, so grievously that Your Petitioner was induced to educate several of his scholars for the Church, at his own particular charge.

That Your Petitioner, convinced from experience that the Church might be supplied with respectable clergymen brought up and educated among us, and feeling his means inadequate to continue, much less to multiply the sacrifices he was then making, did, in May 1812, represent to the Lord Bishop at Quebec the great hardships sustained by this Province from the want of clergymen, and the still greater hardships to the inhabitants of having this honourable profession in a manner shut up from their children and given to strangers; requesting His Lordship to lay the case before "The Society for the Propagation of the Gospel in Foreign parts," and to state the propriety of making a yearly allowance to a limited number of young men from the age of eighteen to twenty-three, the period of Ordination, the money to be repaid, if any of them changed their minds during their studies; offering at the same time, to conduct their education and give them the use of his library, without putting them to any expense.

That the Lord Bishop of Quebec entered warmly into the views of Your Petitioner, and, in 1815, procured from the Society a grant of two hundred pounds per annum, for four students in Divinity, accompanied with an expectation that, as their funds were not large, and depended greatly upon annual donations, that the Legislature of Upper Canada would in a short time, relieve them from this burden, by extending the provision and supplying the same from the Provincial Revenue, the more especially as the Society contributes one hundred pounds sterling, per annum, towards the support of every clergyman that settles in the Province.

That, in England, young men destined for the Church receive aid in the prosecution of their studies, from the foundations of their different Colleges, but, in this country, there are no such resources, and, while in other professions a young man commences at twenty-one, in this he must be twenty-three.

That a small appropriation, sufficient for a number of young men equal to the number of Districts, in addition to those who, at present, enjoy the bounty of the Society, would fill the Province in a few years, with a respectable clergy, natives of the country, and particularly qualified from their knowledge of the manners and customs of the people, to be extremely useful.

That Your Petitioner will most willingly pay the same attention to the studies of such young men, as he does to those assisted by the Society, being sufficiently rewarded by the consciousness of doing good to the Province, in thus promoting their views.

Wherefore Your Petitioner entreats Your Honourable House to fulfil, during the present session, the reasonable expectation of the Venerable Society for the Propagation of the Gospel in Foreign parts, by extending your patronage to such young men as may be desirous of studying Divinity, in such a way and on such terms and conditions as in your wisdom, it may seem meet.

And Your Petitioner, as in duty bound, will ever pray.

JOHN STRACHAN.

YORK, 25th February, 1818.

(NOTE.—No action was taken by the House of Assembly on this Petition of Dr. Strachan asking for a grant in aid for theological education.)

*1st April, 1818.*—The House met on this day, and having by Black Rod being summoned to the Legislature Council Chamber by command of the Honourable Samuel Smith, Esquire, Administrator of the Government of Upper Canada, His Honour was pleased to give assent, in His Majesty's name, to a number of Bills. The following was reserved for signification of His Majesty's pleasure in Council thereon, viz :—

“An Act to repeal part of, and amend, the laws (of 1807 and 1808) now in force, for establishing District Schools in the several Districts of the Province.”

## SECOND SESSION OF THE LEGISLATURE IN 1818.

(The new Lieutenant-Governor, Major-General Sir Peregrine Maitland, K.C. B., having arrived from England early in 1818, the Honourable Samuel Smith was relieved of his office of Administrator of the Government. The Provincial Treasury having been found empty after his arrival Sir Peregrine Maitland called the Legislature together on the 12th of October, 1818, and delivered the usual speech from the Throne. In it he made no reference either to schools, or to education.

The following members of the House of Assembly took part in the educational legislation of the session, etc: Messieurs Philip VanKoughnet, Peter Robinson, Richard Hatt, Jonas Jones, Peter Howard, Isaac Fraser, Alexander McMartin, Robert Nelles, Isaac Swayze, Zaccheus Burnham.)

*14th October, 1818.*—Mr. Philip VanKoughnet, gave notice that he will, on Saturday next, move for leave to bring in a Bill, to repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same.



*19th October, 1818.*—Agreeably to notice. Mr. Philip VanKoughnet, seconded by Mr. Peter Robinson, moved for leave to bring in a Bill to repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same, which was carried and the Bill was read a first time.

Mr. Philip VanKoughnet, seconded by Mr. Peter Robinson, moved that the District (Grammar) School Repeal Bill be read a second time to-morrow, which was carried and ordered.

*20th October, 1818.*—Agreeably to the Order of the Day, the District (Grammar) School Amendment Bill was read the second time.

Mr. Philip VanKoughnet, seconded by Mr. Richard Hatt, moved that the House do now resolve itself into a Committee of the Whole to take into consideration the District (Grammar) School Amendment Bill, which was carried, and Mr. Jonas Jones took the chair of the Committee.

The House having resumed, Mr. Jones reported progress, and obtained leave to sit again to-morrow.

*22nd October, 1818.*—Agreeably to the Order of the Day, the House went into Committee on the District (Grammar) School Amendment Bill, Mr. Jonas Jones in the chair.

The House having resumed, Mr. Jones reported the Bill as amended. *Ordered* that the Report be received.

Mr. Philip VanKoughnet, seconded by Mr. Jonas Jones, moved, that the District (Grammar) School Amendment Bill be engrossed and read a third time to-morrow, which was ordered.

*23rd October, 1818.*—Agreeably to the Order of the Day, the District (Grammar) School Amendment Bill was read the third time.

Mr. Philip VanKoughnet, seconded by Mr. Peter Howard, moved that the District (Grammar) School Amendment Bill do now pass and that it be intituled, “An Act to repeal part of, and amend, the laws now in force for establishing Public (Grammar) Schools in each and every District of this Province, and to extend the provisions of the same,” which was carried, and the Bill was signed by the Speaker.

Mr. Peter Robinson, seconded by Mr. Isaac Fraser, moved that Messieurs VanKoughnet and McMartin, be a Committee to take up to the Honourable the Legis'ative Council the District (Grammar) School Bill, and to request their concurrence thereto, which was ordered.

*28th October, 1818.*—Mr. Philip VanKoughnet, of the Committee to carry up to the Honourable the Legislative Council the Bill intituled, “An Act to repeal part of and amend the laws now in force for establishing Public (Grammar) Schools in each and every District of the Province, and to extend the provisions of the same,” and request their concurrence thereto, reported that they had done so.

*9th November, 1818.*—Mr. Peter Howard, seconded by Mr. Mahlon Burwell, moved that the fifth Rule of this House be dispensed with, so far as relates to a Bill to alter the place of keeping the Public (Grammar) Schools in the Johnstown and London Districts, and that it be now read a second time, which was carried, and the Bill was read the second time.

Mr. Peter Howard, seconded by Mr. Jonas Jones, moved that the House do now resolve itself into a Committee to take into consideration the Johnstown and London District (Grammar) School Bill, which was carried, and Mr. Nelles took the chair. The House resumed, Mr. Nelles reported the Bill amended. *Ordered* that the Report be received.

Mr. Peter Howard, seconded by Mr. Mahlon Burwell, moved that the Johnstown District (Grammar) School Bill be engrossed and read a third time this day, which was ordered.

*11th November, 1818.*—Agreeably to the Order of the Day, the Johnstown District (Grammar) School Bill was read the third time.

Mr. Peter Howard, seconded by Mr. Philip VanKoughnet, moved that the said Bill do now pass, and that it be intituled, “An Act to repeal part of, and amend, the laws now in force for establishing the Public (Grammar) School in the District of Johnstown and alter the place for keeping the same,” which was carried, and the Bill was signed by the Speaker.

Mr. Philip VanKoughnet, seconded by Mr. Robert Nelles, moved that Messieurs Howard and Cryslar be a Committee to carry up to the Honourable the Legislative Council the District (Grammar) School Bill, and to request their concurrence thereto, which was ordered.

*12th November, 1818.*—Mr. Peter Howard, of the Committee to carry up to the Honourable the Legislative Council the Bill intituled, “An Act to repeal part of, and amend the laws now in force for establishing the Public (Grammar) School in the District of Johnstown, and to alter the place for keeping the same,” and request their concurrence, reported that they had done so.



*25th November, 1818.*—Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable the Legislative Council a Message which he delivered to the Speaker, and having withdrawn, it was read as follows :

MR. SPEAKER :

The Honourable the Legislative Council request a Conference with the Commons House of Assembly, on the subject matter of a Bill intituled, "An Act to repeal part of, and amend, the laws now in force for establishing Public (Grammar) Schools in each and every District of this Province, and to extend the provisions of the same," and have appointed a Committee of two of its members who will be ready to meet a Committee of the Commons House of Assembly in the Legislative Council Chamber, at the rising of this House this day.

WM. DUMMER POWELL,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,

25th November, 1818

Mr. Peter Robinson, seconded by Mr. Robert Nelles, moved that Messieurs Durand, Hatt, Burwell and Fraser, be a Committee to confer with the Committee of the Legislative Council on the subject of the Bill intituled, "An Act to repeal part of, and amend, the laws now in force for establishing Public (Grammar) Schools in each and every District of this Province, and to extend the provisions of the same," which was carried.

Mr. Peter Robinson, seconded by Mr. Isaac Swayze, moved that Messieurs Burwell and Burnham be a Committee to acquaint the Honourable the Legislative Council that this House have agreed to a conference on the subject of the Bill, intituled, "An Act to repeal part of, and amend, the laws now in force for establishing Public (Grammar) Schools in each and every District of this Province, and to extend the provisions of the same," and have appointed a Committee of four persons for that purpose, which was carried.

Mr. Mahlon Burwell, of the Committee to carry up to the Honourable the Legislative Council a message acquainting them that this House had agreed to a conference on the subject of the Bill intituled, "An Act to repeal part of, and amend, the laws now in force for establishing Public (Grammar) Schools in each and every District of this Province, and to extend the same," reported they had done so.

*26th November, 1818.*—Mr. James Durand of the Committee to confer with a Committee of the Honourable the Legislative Council, reported that they had met, and that the conference still remained open.

After the House of Assembly had met on the next day, (27th November), the members of it were summoned by Black Rod to the Legislative Council Chamber when His Excellency Lieutenant-Governor, Sir Peregrine Maitland, assented in His Majesty's name to a number of Bills, and closed the sittings of the Legislation with a speech from the Throne. In that speech he made no reference to the school legislation of the Session, nor to the subject of education. The closing of the sittings of the Legislature prevented the progress of the conference between the two Houses in regard to the District (Grammar) School Repeal Bill, so that it failed to pass either House.

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#### DISTURBING INFLUENCES ON SCHOOL LEGISLATION IN UPPER CANADA, 1809-1817.

During the administration of Lieutenant-Governor Gore, from 1806, to its close in 1817, various disturbing influences had been acting upon the political atmosphere in the Legislature of Upper Canada. They culminated, so far as he was concerned, in his abrupt dismissal of the Legislature in April, 1817, and his no less abrupt and final departure for England in June of that year.

The first of these unpleasant disturbances arose out of Lieutenant-Governor Gore's treatment of Mr. Justice Thorpe who had unwisely become a Member of the House of Assembly in 1806, while yet a judge. The Governor's proceeding aroused much ill-feeling, which found vent in Mr. Joseph Willcock's *Upper Canada Guardian*, published in 1807. This feeling was intensified by the publication in England, 1809, of a pamphlet on the *Political Situation of the Province* by Mr. John Mills Jackson;\* in which he attacked the system of land-granting, etc. This pamphlet and Willcocks' newspaper were declared (not unanimously,) to be libellous by the House of Assembly.

Apart from these cases, conflict had arisen in 1806 between the House of Assembly and the Legislative Council, as to the right of the Council to deal with Money Bills, or to vote away the public money without the knowledge of, or consent, of the House of Assembly. On this subject the Assembly memorialized the Lieutenant-Governor. This was the first serious dispute between the two Houses.

At length the House of Assembly resolved to enquire into the causes which had led to so much discontent with the administration of Lieutenant-Governor Gore. It, therefore, appointed a select Committee "to enquire into the State of the Province." The Committee prepared a series of resolutions on the subject relating to the system of granting lands, to immigration and to the clergy reserves. It was during the discussion of these resolutions, after two or three had passed by a vote of 13 to 7, on Saturday, the fifth of April, 1817, that Lieutenant-Governor Gore hastily prorogued the Legislature on the Monday following, 7th April, and in the June afterwards left for England.

There are no records of the proceedings of the Legislative Council preserved for the years 1815, 1816, 1817† and 1818, so that little is definitely known as to its action in these matters. But it was at the Legislative Council, and through it at the Executive Council and the Lieutenant-Governor, that the House of Assembly aimed these resolutions.

The subject of education was another specific cause of difference between the two Houses of Legislature. At first, and for some years, the House of Assembly had been adverse to the passage of any measure for the promotion of

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\*Mr. Jackson was a Gentleman Commoner of Balliol College, Oxford, who came to Canada in 1806, having while in England bought land in Upper Canada. His appeal to the English public against the proceedings of the Government and Legislature of Upper Canada was the first of a long series of such appeals, which culminated at length in the appointment of the Earl of Durham in 1839, as Lord High Commissioner, to enquire into all of these alleged grievances. Mr. Jackson finally settled at a place on the shore of Lake Simcoe, now called after him "Jackson's Point." He died in England in 1836.

†The writer on *Education in Upper Canada*, in the *Christian Recorder* for April, 1819, says: "A modification of the whole system of education, embracing the Common and District Schools, and a College at York, was introduced into the Legislative Council by His Honour the Chief Justice in 1817. In this scheme there was a judicious gradation. . . . The project failed in the House of Assembly from an unwillingness to disturb the Common School Bill, which had only been one year in operation."

education. The Legislative Council on the other hand, had been the first to move in the matter, and, in 1807, had passed an Act to establish Grammar Schools in the several Districts of the Province. This was done at the instance of Honourable Richard Cartwright, a warm friend of the Reverend Dr. Strachan, and one who heartily sympathized with him in his well known desire to see such schools established so that they might act as feeders to the projected University for Upper Canada.

One cause of difference between the two Houses on educational matters is thus referred to by the Writer in the *History of Education in Upper Canada*, in the *Christian Recorder* of April, 1819 :

In one or two Districts, it must be confessed, that all the good which might have been anticipated, has not been produced, and these supply the complainants with their arguments against the Bill ; but the fault arose from the jealousy which at that time pervaded the House of Assembly. The Members demanded that what was given to one District should be given to all alike, whether necessary or not.

After the Grammar School Act had been in operation a short time, it was felt that, under its provisions, only one school could be established in each of the eight prescribed Districts, while the mass of the people were left without any means for the elementary education of their children. Hence petitions were presented to the House of Assembly pointing out how circumscribed was the operation of the Act, and, at the same time—how costly it was ; that it provided schools for the rich, while the poor was unprovided for, etc. The popular branch of the Legislature being thus appealed to, took up that side of the question, and, session after session, sought to repeal or modify the Grammar School Act. It did but little, however, to provide a really practical remedy. At length, however, the two Houses finally agreed to pass an Act in 1816 to provide for the establishment of Common Schools throughout the Province, and made a grant of \$24,000 a year for their maintenance, but limited the duration of the Act and the grant to four years.

The agitation, however, caused by Mr. Robert Gourley in 1817-18, re-opened the questions of differences between the two Houses, and led to a good deal of strife in the Legislature. The Honourable Samuel Smith who, at the time was the Administrator of the Government after the departure of Lieutenant-Governor Gore, sought to allay this strife ; and, in his closing speech to the Legislature on the first of April, 1818, he thus addressed the Members of the Houses :—

When I called you together in obedience to the law, it was in the full expectation that you would assiduously labour to bring up any arrears of public business.

The ready pledge offered by your cordial Addresses in answer to my suggestions from the Chair confirmed me in that hope.

I regret, the more, to have experienced disappointment, and finding no probability of any concert between the Houses, I come reluctantly to close the session with its business unfinished.

I do most earnestly intreat you to weigh well, during the recess, the important effects of such a disunion, and that you may meet resolved to conciliate and be useful.



## CHAPTER XXIX.

## GOURLEY'S EDUCATIONAL STATISTICS OF UPPER CANADA, 1817.

Mr. Robert Gourley came to Canada in July, 1817. Being desirous of collecting information in regard to the country, he drew up a series of thirty-one queries, and sent them to the most prominent men in each municipality. Query five related to education and schools ; and the information on these subjects obtained by Mr. Gourley late in 1817, has been condensed and prepared for this publication. They will be found highly interesting, not only as a statistical starting point for the educational information, which has followed them, but also as showing what was the actual condition of Upper Canada in regard to education, and what were the facilities which the inhabitants then enjoyed in regard to schools. The District Grammar School Act of 1807 had been in operation ten years when these statistics were prepared, while the Common School Act of 1816 had only been one year in operation.

The statistics and information collected by Mr. Gourley relating to Upper Canada were published by him in two volumes in London, in 1822. The descriptive part of Mr. Gourley's book was written for him by Mr. Barnabas Bidwell, formerly Master of the Bath Academy, and Father of his noted son—the Honourable Marshall Spring Bidwell. In "Sketch " No. 32, Gourley says :

There is no College in Upper Canada ; but there are said to be several townships of land set apart for the purpose of endowing such an Institution when the population and circumstances of the Province shall require it.

No provision is made by law for free schools. The inhabitants of the several townships are left to a voluntary support of schools according to their own discretion.

An Act of the Provincial Legislature, in 1807, granted a hundred pounds a year, to the teacher of one school in each of the eight Districts, under the direction of Trustees. In some Districts, the school thus provided for, is made a free school ; but in the other Districts the salary is considered as a public encouragement to a teacher of literary eminence, in addition to the compensation received for the tuition of each scholar.

The Act was at first limited to four years, within which period the limitation was repealed so that it is now a perpetual law. From the extent of the Districts, the location of the schools and other considerations, the (Grammar) School Act has proved not very satisfactory, and a repeal of it has been repeatedly attempted. Such dissatisfaction and attempts to procure a repeal, may have lessened the utility of these schools. Several of them, however, are flourishing and highly respectable.

Other Seminaries for the education of youth are supported by individual exertions, without public aid.

The first inhabitants were generally poor, in consequence of the Revolution. They had also to struggle with the labours and privations incident to new settlements. As their habitations were sparse, it was difficult for them to unite in sufficient numbers to form good schools ; and they could neither afford much expense for instructors, nor allow their children much time for receiving instruction. From such inevitable causes, education was neglected among them, until the neglect almost became habitual. The want of books at the same time, relaxed their taste for reading.

A sense of these disadvantages excited desires for surmounting them, which have at length produced the corresponding exertion. Books are procured in considerable numbers. In addition to those with which particular persons and families are supplied, social libraries are introduced in various places. . . .

A spirit of improvement is evidently spreading. The value of education, as well as the want of it is felt. . . . Among other indications of the progress of literary ambition, I cannot forbear referring to the academy lately erected in Ernestown, by the subscription of public spirited inhabitants of that and the neighbouring townships, who appear to be convinced that the cultivation of liberal arts and sciences is naturally connected with an improvement of manners and morals, and a general melioration of the state of society. Such was the prospect when the War commenced. The Ernestown Academy was converted into a barrack ; and the Academical Institution has not been revived. The students resorted to other places of education, many of them out of the Province. The building is now occupied as a house of public worship and a Common School. It is to be hoped, however, that the taste for literary improvement may be revived, and this Seminary be re-established, [which it was]. (Volume I, page 244-247).

In 1816, two new Districts, (Gore and Ottawa), were organized. An Act was also passed for the establishment and encouragement of Common Schools. It provides for a Board of Education to be appointed in each District, and authorizes the inhabitants of any town, township, village or place to associate by subscription for a School and to choose their Trustees of such School, who have power to appoint a teacher, designate the books to be used, and direct the course of education, subject to the superintendence of the District Board of Education. These Trustees are annually to certify the number of scholars instructed in their respective Schools, and report the state of the schools to the District Board who are to make a similar report to the Lieutenant-Governor, to be laid before the Legislature. The Act grants six thousand pounds (\$24,000) a year, from the Provincial funds, and apportions it to the ten Districts of the Province. The District Boards are to apportionate it among the schools in their several Districts, according to the number of their scholars, with these limitations that none be given to a school of less than twenty scholars, and no school to have less than one hundred dollars. The money is to be paid to the teachers upon their producing certificates of qualification and good conduct from their Trustees. This law, however incomplete as a system, indicates a favourable progress of public sentiment on the subject of Education. (Pages 258, 259).

#### REPORT OF SCHOOLS IN TOWNSHIPS OF UPPER CANADA, 1817.

Mr. Gourley issued a circular to prominent parties in each of the Municipalities of Upper Canada in 1817, requesting an answer to a series of queries relating to the condition and state of Agriculture, Industries, Mineral resources, etc. The fifth query asked the number of schools in the locality, and the fees paid per quarter. The answer to this question is collected from Mr. Gourley's *Statistical Account of Upper Canada*, published in 1822, volume one, pages 275-611.

*Sandwich*.—There is one School in Sandwich, with one Master, who draws a salary from the Provincial fund of £100 per annum besides, tuition fees. There are two inferior Schools, the teachers of which receive from the same fund £25 per annum, besides moderate fees.

*Malden*.—There are three Schools, and the rate per quarter is twenty shillings.

*Raleigh*.—There is one Common School, the Teacher of which receives fifteen shillings for each scholar and the Legislature by a toll Act (1816) grants the teacher of each Common School in the Province a further sum of £25 yearly, provided there are taught in the said School at least twenty scholars.

*Dover, East and West, Chatham, Camden, Oxford, Howard and Harwich*.—At a meeting of the inhabitants of these Townships a reply was sent to the fifth among other queries, stating that there were four Schools in the Townships and that the rate was fifteen shillings per quarter. In a supplementary statement sent to Mr. Gourley it was stated there was an Indian School in Oxford Township kept in Indian and English.

*Windham*.—We have two Schools, and we board the Teachers, and give them £12 10s. per quarter.

*Charlottesville*.—There are, in this Township, a District Public Grammar School, and four Common Schools ; the medium rate of tuition about 12s. 6d. per quarter.

*Norwich*.—There are here three Schools ; common fees per quarter £15 \*[Query fifteen shillings]—board and lodging found.

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\*This must mean the Schoolmaster's salary, R.G.

## TOWNSHIP REPORTS RELATING TO SCHOOLS IN THE LONDON DISTRICT.

Names of Townships.	When settled.	Number of people.	Number of schools.	Fees per quarter.
				s. d.
Delaware.....	1795	80	1	.....
Westminster.....	1811	428	2	.....
Dorchester.....			0	.....
Oxford .....	1795	580	4	10 0
Blenheim, etc.....	1797	150	1	15 0
Burford and its Gore .....	1793	550	2	12 6
Windham.....	1794	293	2	.....
Townsend.....	1796	716	4	12 6
Walpole and Rainham.....	1793	247	0	.....
Woodhouse.....	1794	711	3	12 6
Charlotteville .....	1793	900	5	12 6
Walsingham.....	1791	337	2	10 0
Middleton.....	1815	.....	0	.....
Norwich .....	1808	.....	3	.....
Bayham.....	1813	.....	2	10 0
Malahide.....	1811	775	2	12 6
Yarmouth.....	1811	400	2	.....
Southwold.....	1811	900	3	12 6
Dunwich.....	1803	500	1	12 6
Aldborough .....	.....	400	1	10 0
Totals.....	.....	7,917	40	142 6



## TOWNSHIP REPORTS RELATING TO THE DISTRICT OF GORE.

Names of Townships.	When settled.	Number of people.	Number of schools.	Fees per quarter.
				s. d.
Trafalgar.....	1807	548	3	10 10
Nelson.....	1807	476	2	12 6
Wellington Square.....				
Part of Nelson.....	1802		1	15 0
East Flamboro' and.....			2	
West Flamboro'.....	1794	360	4	...
Beverly.....	1800	369	1	12 6
Waterloo.....	1800	850	3	15 0
Dumfries.....	1816	163	0	
Haldimand.....	1783	480	5	12 6
Ancaster.....	1790	1,037	6	16 3
Barton.....	1787	800	5	13 6
Saltfleet.....	1787	700	5	
Totals.....		5,673	37	107 3

*Humberston.*—There is one English, and one Dutch School.

*Grimsbey.*—The state of education is also at a very low ebb, not only in this Township, but generally throughout the District ; although the liberality of the Legislature has been great in support of the District Grammar Schools, (giving to the teachers of each £100 per annum), yet they have been productive of little or no good hitherto, for this obvious cause, they are looked upon as seminaries exclusively instituted for the education of the children of the more wealthy classes of society, and to which the poor man's child is considered as unfit to be admitted. From such causes, instead of their being a benefit to the Province, they are sunk into obscurity, and the heads of most of them are at this moment enjoying their situations as comfortable sinecures. Another class of schools has within a short time been likewise founded upon the liberality of the Legislative purse, denominated as Common, or Parish, Schools, but like the preceding, the anxiety of the teacher employed, seems more alive to his stipend than the advancement of the education of those placed under his care ; from the pecuniary advantages thus held out, we have been inundated with the worthless scum, under the character of schoolmasters, not only of this, but of every other country where the knowledge has been promulgated, of the easy means our laws afford of getting a living here, by obtaining a Parish School, which is done upon the accommodation of some few freeholders, getting his salary free from the public, and making his employers contribute handsomely besides.

It is true, rules are laid down for their government, and the proper books prescribed for their use ; but scarcely in one case in ten are they adhered to, for, in the same class you will frequently see one child with Noah Webster's spelling book in his hand, and the next with Lindley Murray's. However prone the teachers are to variety in their schools, much blame is to be attributed to the trustees, who are in many instances too careless, and I might also add, too ignorant to discriminate right from wrong, in the trust they have undertaken for the public benefit. It is, therefore, not to be wondered at why the parish school system should meet with almost universal reprobation from most discerning men. Of these parish schools we are burdened with a liberal share, having no less than three of them. If the establishment of

this system was meant by the Legislature to abbreviate the present enormous price of education, they have been miserably deceived, for I can see no alteration or reduction from the charge made before the passing of this Act. The price then was 12s. 6d., and is now the same per quarter.

(Extract of a letter from William Crooks, Esquire, of Grimsby, to Mr. Gourley, dated January 12th, 1818.)

### TOWNSHIP REPORTS RELATING TO SCHOOLS IN THE DISTRICT OF NIAGARA.

Names of Townships.	When settled.	Number of people.	Number of schools.	Fees per quarter.
				s. d.
Humberstone.....	1787	.....	2	13 9
Bertie.....	1784	1,600	6	11 3
Willoughby.....	1784	441	1	12 6
Stamford.....	1784	1,200	5	15 0
Grantham.....	1784	1,200	6	12 6
Lowth.....	1787	700	3	12 6
Grimsby.....	1787	805	3	12 0
Pelham.....	1790	776	5	12 6
Thorold.....	1788	830	9	.....
Crowland.....	1788	600	2	10 0
Wainfleet.....	1800	.....	2	10 0
Canboro' and.....	1803	190	.....	.....
Caister.....	1782	156	2	12 6
Totals.....		8,398	46	134 6

*Kingston.*—There are eight schools, the fees of which are various; viz.: three at forty shillings, four at twenty-two and six pence, and one conducted on the Lancastrian system at ten shillings per quarter.

*Ernestown, (including Amherst Island).*—There is one parochial Academy in the village, and thirteen Common Schools over the Township. The fees may average ten shillings per quarter.

*Midland District.*—Since the Legislature has appropriated a sum of money for Common Schools they have increased very much in the country. In Kingston there are six—two Grammar Schools, three Common Schools and one School for Young Ladies.

This country was settled in 1784.

(Extract of a letter from Thomas Markland, Esquire, dated Kingston, 26th November, 1817.

*Wilford.*—There are four Common Schools in the Township; three are paid one hundred dollars per annum by the Province; the other is paid by the inhabitants. The average price per quarter to each scholar is fifteen shillings.

*Lansdown.*—There is one school assisted by the Government to the extent of £25, and by the people to the amount of £45 annually.

*Charlottenburgh.*—There are twelve schools in the Township. The average fees per quarter to each schoolmaster is £15. (Query, fifteen shillings.)

TOWNSHIP REPORTS OF SCHOOLS IN THE NEWCASTLE, MIDLAND, JOHNSTOWN  
AND EASTERN DISTRICTS.

Names of Townships.	When settled.	Number of people.	Number of schools.	Fees per quarter.	
				s.	d.
Haldimand.....	1797	.....	4	12	6
Thurlow .....	1786	1,200	4	10	0
Sophiasburg .....	1790	.....	5	12	6
Hallowell .....	.....	.....	4	13	9
Adolphustown.....	1784	.....	3	.....	.....
Ernestown .....	1784	2,450	14	10	0
Kingston .....	1783	2,850	8	27	6
Lansdown.....	1788	205	1	.....	.....
Wolford .....	1797	320	4	15	0
Charlottenburgh .....	1784	2,500	12	.....	.....
Totals.....	.....	9,525	59	101	3

TOWNSHIP REPORTS OF SCHOOLS IN THE WESTERN DISTRICT.

Names of Townships.	When settled.	Number of people.	Number of schools.	Fees per quarter.	
				s.	d.
Sandwich .....	1750	1,000	3	.....	.....
Malden .....	1784	675	3	20	0
Raleigh .....	1792	273	1	15	0
Dover, etc. ....	1794	798	4	15	0
Totals.....	.....	2,746	11	50	0

NOTE.—A large number of Townships made no report whatever in regard to schools.



## CHAPTER XXX.

MISCELLANEOUS PAPERS AND DOCUMENTS RELATING TO  
EDUCATION AND SCHOOLS, 1817-1818.

As there is a break in the Parliamentary Records of the Legislative Council for 1814-1818, I insert in this chapter a number of miscellaneous Papers, Notices of Schools, etc., chiefly taken from the *Kingston Gazette* of 1817-18. They illustrate the educational advantages in Kingston at the time, as well as the character of the tuition, and rate of fees then charged, etc.

## MIDLAND DISTRICT (GRAMMAR) SCHOOL, KINGSTON, 1817.

The Rev. John Wilson, M. A. of Queen's College, Oxford, having been appointed Head Master of this establishment, begs to inform his friends and the inhabitants of the District that every branch of classical literature, and the elements of mathematics, will be taught according to the system adopted in the Public Schools and Universities of England.

Every attention will be paid to morals of the pupils, and to their instructions in English reading, grammar, writing, arithmetic, book-keeping, etc.

KINGSTON, June 12th, 1817.

## A SCHOOL OF LIBERAL ARTS AND SCIENCES, 1817.

The Preceptor of this school begs permission to acquaint his friends and the public that, having removed to the commodious stone house, recently occupied by Mr. Henry Baker, fronting Store street, Kingston, he will have it in his power to afford his present pupils, and those who may hereafter attend, with a handsome paved playground, and other pleasing juvenile conveniences.

He returns unfeigned acknowledgments to his friends for their very liberal support. He trusts that, from his former attention, his new arrangements and future exertions will secure a continuance of public patronage.

A son of the Rev. J. G. Weagant is shortly expected as Usher in this school.

Evening and Sunday schools are also continued at this place.

Scholars residing at a distance may be boarded and instructed on moderate terms.

KINGSTON, May 31st, 1817.

## SUNDAY SCHOOLS IN KINGSTON, 1817.

Mr. William Moon, Schoolmaster, in Kingston, wrote to the Editor of the *Kingston Gazette* under date of June the 9th, 1817, as follows :—

I feel to rejoice that a pious minister has taken so much interest in the welfare of the rising generation of Kingston, as to propose a Sunday School ; he has thereby given a full proof that he wishes well to our prosperity.

I hope that numbers will willingly follow his advice and help so good a work, and as the intent of a Sunday School is chiefly to instruct the children of the poor, that have not the means or opportunity of getting them instructed, it is to be hoped that many young men and women will come forward in so laudable an undertaking to give a small portion of their Sabbaths to so good a purpose as to instruct the uninstructed, and it can not be doubted for a moment, but that the charitable inhabitants of Kingston, will come forward to help in purchasing books, and tracts for the school.

I understand that the Rev. Mr. Cattrick intends to establish one. If it should meet his approbation, or any other person or persons, who wish to take the lead of so laudable an undertaking, I willingly make an offer of my school room and my attendance if wanted.

## MR. BAKER'S SCHOOL FOR CLASSICAL EDUCATION, 1817.

Scholars may be instructed at the Academy, in Mr. Henry Baker's red house, Rear street, Kingston, in the following branches of literature at the annexed prices, viz. :

	£.	S.	D.
In Orthography, Reading and Writing per quarter .....	1	2	6
Or £4 per annum.			
English Grammar, Arithmetic and Book-keeping.....	1	10	0
Composition, Oratory, the Elements of Natural and Civil History, Practical Mathematics, Geography, etc.....	2	0	0
Latin, Greek and other classical branches.....	2	10	0

An evening school will also be taught for the benefit of those who are unable to attend the day school.

A young lady is wanted to instruct the Misses in plain sewing. Enquire at the Academy. KINGSTON, April, 1817.

## MR. LATHAM'S ENGLISH AND FRENCH ACADEMY, 1817.

Henry Latham, late a clerk in the Naval yard, begs leave to inform his friends and the public that, from the encouragement he has received from several of the principal inhabitants of the east ward of Kingston, he has been induced to re-open the Academy at Mr. Baker's stone house in Store street for the instruction of youth of both sexes in the following useful branches of education, viz., reading, writing, English grammar and a knowledge of the French language.

In soliciting a share of public patronage, he hopes by assiduity and attention, not only to the instruction, but to the morals of the pupils entrusted to his charge, to merit a continuance of it.

Terms may be obtained by application at the school house.

N. B.—An evening school on Mondays, Wednesdays and Fridays, from 6 till 8 o'clock. KINGSTON, October 6th, 1817.

## LECTURES ON CHEMISTRY AND GEOLOGY, 1817.

In February, 1817, Mr. John Whitelaw, Master of the Kingston Grammar School issued the following notice :—

The subscriber proposes, during the ensuing spring, to deliver a course of lectures, introductory to the study of chemistry, mineralogy and geology.

The lectures will be accompanied (as far as an apparatus for the purpose can be obtained) by a number of experiments, establishing general principles and illustrating the peculiar properties of particular bodies. Likewise, as great a variety of mineral specimens as can be procured, will be shown; and particular care taken to explain the nature and point out the uses of the various mineral and metallic productions of Upper Canada; from which, were they sufficiently known and their value duly appreciated, agriculture and many of the useful arts of life might derive great advantage, and thus prove a permanent source of wealth to the inhabitants.

The course will consist of at least thirty-six lectures. Three of which will be delivered every week, viz., on Monday, Wednesday and Friday, commencing at 8 o'clock in the evening.

Those who may be disposed to attend will be pleased, as early as convenient to signify the same by entering their names with Mr. Macaulay at the post office, who will furnish them with tickets of admission at three guineas each for the course.

## MR. TOLKIEN'S PRIVATE SCHOOL IN KINGSTON, 1817.

The public are respectfully informed, that on Monday, the 3rd instant, a school will be opened by Mr. Charles Tolkien, in the new stone building belonging to Mr. Aykroyd, in which scholars will be instructed in English Reading, English Grammar, Writing, Arithmetic, Book-Keeping and Geography.

The terms and hours of Tuition, etc., will be the same as those formerly settled for the branches in the Public School at this place.

N. B.—Punctual attendance, and unconditional submission to the rules of school will be expected from every scholar.

KINGSTON, January, 1817.

MR. AND MRS. WOOLF'S BOARDING AND DAY SCHOOL.

Mr. and Mrs. Woolf beg to inform the public that, on the 12th instant, they purpose to commence a boarding and day school, (in the house recently occupied by Dr. Macaulay,) for the instruction of young ladies in the different branches of female education.

Cards of terms, and every other requisite information may be had on application.  
KINGSTON, 3rd of May, 1817.

MRS. HILL'S KINGSTON SCHOOL FOR YOUNG LADIES, 1818.

Mrs. Hill, most respectfully, informs the inhabitants of Kingston and its vicinity that she has taken the house, lately occupied by Messrs. Johns and Finkle, where she intends commencing a boarding and day school for young ladies, on Tuesday, the 22nd of October, and hopes, from the attention which she will pay to the improvement, morals and comfort of her pupils, to merit the approbation of the parents, who will entrust their children to her care.

She will teach reading, writing, arithmetic, grammar and geography, with plain and fancy needle-work. Embroidery will also be at the option of the parents.

The following are the terms, viz. :—

Small children, Reading only. . . . .	15 s. per quarter.
Reading, Writing and plain Needle-work . . . . .	20 do
Grammar, Arithmetic, Geography and fancy Needlework . . . . .	30 do
Embroidery, extra . . . . .	15 do

Mrs. H. will take boarders at the most moderate rate.

KINGSTON, October 3rd, 1818.

MR. HARRIS' PRIVATE SCHOOL FOR YOUNG LADIES, ETC., 1818.

Mr. Thomas Harris, late teacher in one of the most respectable schools in Quebec, intends opening a school on the 14th of September, at the residence of Mr. R. Johnston, teacher of the Lancasterian school, in which the following branches will be taught, viz. :—Reading, writing, arithmetic, English grammar and geography.

The young ladies will be superintended in the different branches of needle-work by Mrs. Johnston in a separate apartment.

A few young gentlemen may be accommodated as boarders on reasonable terms.

KINGSTON, September, 1818.

MIDLAND DISTRICT LANCASTRIAN SCHOOL IN KINGSTON, 1818.

As the professed object of all schools on the "British and Foreign School Society" system is the education of children of poor and indigent parents, and as there are in this town many children of emigrants and others who cannot afford even the present small monthly payment which the trustees have appointed to the school established here upon that system commonly called the Lancastrian school; it is therefore, proposed to the benevolent advocates for the education of the poor, that an annual subscription be raised for the purpose and to be appropriated solely to the benefit of indigent children under the following regulations :—

1st. That annual subscriptions and donations be immediately entered into, for the sole purpose of affording gratuitous education to the children of poor and indigent parents.

2nd. That a subscription of two pounds shall enable the subscriber to nominate annually one free scholar. The nominations to be made at the time of subscription, or else to merge, with the rights of smaller subscriptions, and all donations, in the President and Trustees of the School.

3rd. That the President and Trustees shall faithfully apply the moneys that may be thus put into their hands, to the education of as many poor children as the amount of the subscription will allow, with the exception of five pounds to be appropriated to the purchase of prizes, distributable to meritorious scholars, at the quarterly examination. But if a sufficient number of such poor children shall not be found, then, at the end of each year, the surplus be disposed of in the purchase of a small library for the use of the School. Provided always, that no part of such surplus be in any way laid out upon the repairs of the school or premises.

4th. That Hugh C. Thomson, Esq., as Treasurer, be forthwith authorised to receive subscriptions and donations.



## MIDLAND DISTRICT SCHOOL SOCIETY, 1818.

The annual meeting of the members of the Midland District School Society was this day held at the school house, Kingston the eleventh day of May, 1818.

The President and Trustees of the Midland District School Society, for the year ending the 11th of May, 1818, report that the Treasurer has exhibited the following statement of the funds of the Society:—

	£	s.	d.
By cash paid in for subscriptions .....	341	3	11
To cash for building and finishing school house .....	338	15	6½
Balance in the hands of the treasurer .....	2	8	4½

That a number of the original subscriptions are probably lost to the Society, owing to the departure of the subscribers from the country. (since the Society was incorporated in 1815,) but there still remains of uncollected and valid subscriptions to the amount of above thirty pounds.

That the school-house erected is sufficient to accommodate from ninety to one hundred scholars.

That Mr. Robert Johnston, having been recommended by the Canadian Committee of the Society at Quebec, as an experienced teacher, in the British and Foreign Society System of Education, was engaged by the President and Trustees for one year, and the School was opened on the 24th of November last.

That for some time past the average number of scholars has been from seventy to eighty, taught with peculiar advantages in the different departments of reading, writing, and arithmetic.

The President and Trustees are persuaded that with the continued support of the Society, the School now established will be a public benefit to the Town of Kingston, and particularly to the poorer classes of its inhabitants, by affording instructions to their children at the moderate rate of three shillings and four pence per month.

In order, however, to render this institution still more generally useful, a fund for the education of the children of the destitute poor is yet wanting. This may be accomplished by means of annual subscriptions and donations, for that purpose.

The following gentlemen were then elected as officers and trustees for the ensuing year:—

Rev. G. O. Stuart, *President*, Rev. John Wilson, the Hon. A. McLean, and Messieurs T. Markland, G. Markland, C. A. Hagerman, A. Pringle and W. Mitchell, *Trustees*.

Hugh C. Thomson, *Treasurer*, Robert Johnston, *Secretary*.

## ERNESTOWN (BATH) ACADEMY, REOPENED, 1818.

The Trustees of the Ernestown (Bath) Academy hereby give notice that they have appointed the Reverend Alexander Fletcher, Preceptor of that academical Institution, which will be opened in a few days, after having been closed for some time.

The Rev. Alexander Fletcher and Mr. McIntosh have commenced teaching in Ernestown Academy, viz., the English language grammatically, writing, arithmetic, book-keeping, geography with the use of globes, mathematics, recitation, composition and history with the Latin and Greek languages.

Mr. Fletcher attended a complete course of classical studies at the Colleges of Glasgow and Edinburgh; Mr. McIntosh received a liberal education at King's College, Aberdeen; and from their combined experience in, and adoption of, the most successful and approved modes of tuition, they hope to merit the approbation of their employers.

Boarders can be accommodated in respectable private families on the most reasonable terms.  
ERNESTOWN, October 6th, 1818.

## LECTURES ON NATURAL PHILOSOPHY, 1818.

In the *Upper Canada Gazette* of the 5th of February, 1818, appeared the following notice:—

The subscriber intends to deliver a course of Popular Lectures on Natural Philosophy, to commence on Tuesday, the seventeenth instant, at seven o'clock, p.m., should a number of auditors come forward to form a class. Tickets of admission for the course, (price, two guineas) may be had of William Allan, Esquire, Dr. Horne, or at the District School House. The surplus, if any, after defraying the current expenses, to be laid out in painting the District School House.

[NOTE.—The proceeds of this lecture were laid out in painting the old school-house blue, hence it was afterwards known as "*The old Blue School*."]

YORK, February 3rd, 1818.

JOHN STRACHAN.

## ESSAY ON EDUCATION IN UPPER CANADA, 1818.

The following "Essay" contributed to the *Kingston Gazette* in 1818, by Mr. John Morris Flindall is interested as illustrating some of the more prominent features of "schools and schooling" in Upper Canada in those days.

These were mainly the uncertain character of the standard of discipline observed in the schools; the ill-effects of school gossip in the homes of the pupils; the hard bargains made with teachers, and the general illiteracy of the peripathetic teacher, who was the ordinary one in Mr. Flindall's day, and as described in Mr. Gourley's Report. Besides, the "Essay" throws a vivid side-light on the condition and character of the desultory and uncertain kind of education given—such as it was,—in Upper Canada during the early part of the present century.

"He that has found a way how to keep up a child's spirit, easy, active and free, and yet at the same time, to restrain him from many things he has a mind to, and to draw him to things that are uneasy to him; he, I say, that knows how to reconcile these seeming contradictions, has, in my opinion, got the true secret of Education."—LOCKE.

As every man should consider himself bound to contribute his mite towards the public benefit, or the improvement of that society of which he is a member, little apology will perhaps be required of him, those good intentions are at once recognized, by the liberal minded of all persuasions.

But to the gentlemen composing the different boards of education; and to the calm consideration of every parent, or guardian; these sentiments, on the most important of all subjects are earnestly addressed.

While philanthropists, exult in the hope, that the age of coercion is passing away, why should we neglect to aid the arrival of milder manners, and happier times by inculcating their superior advantages in the education of youth?

And how can this be done, so long as teachers, or parents, believe nothing can be accomplished in education without unbending rigour, or continual chastisement?

We may in vain, give lessons on humanity to the child who wantonly kicks a dog, or destroys a cat; if we continue on every gust of passion to exercise cruelty on the scholar, or severity on the helpless infant, murder itself may sometimes originate from such an error in education, as the robber, under the gallows, traced back his crime to the stolen apple.

I have, in Canada, heard a good old British officer's observation, on the subject of education, that he still recollects, with indignation, the treatment he received at school, and that he would as readily have marched into a field of battle, as he would entered his school-room, or as soon have met a musket ball, as have faced his school-master, and I have conversed with many others who still retain similar feeling! Such pedagogues, I consider, as mischievous, mercenary pretenders, and by no means as those who have, "the true secret of education."

The paths to learning should, if possible, be strewn with flowers, and not with thorns. The tutor should be mild and firm, patient and persuasive, rather than be clothed with terrors; his pupils should be one family: himself the father.

Those parents have very erroneous notions who consider a school-master as the only proper dispenser of punishment, or who tease, and interrupt him, with continual complaints of juvenile errors, in which the parents alone are responsible.

I am not here to be understood as maintaining that every seminary of learning can be conducted without that wholesome, or discriminate, discipline, which is found to check the turbulence of some tempers; but it is certain, that the frequency of punishment will ever lessen its effect, and the same rule will hold good with respect to the laws which govern man, as well as to the rules which direct the juvenile scholar.

A severe reproof from a mild master will have more effect than a severe blow from a morose one. Study is the most successful, when the mind is most at ease, but how can that mind be at ease, which is ever tenanted by terror?

In the culture of the human mind, there are a thousand little niceties, which an experienced tutor alone can know, and he should, therefore, never be tied down by too many restrictions on his conduct. Yet nothing is more common than to see an illiterate man, give ridiculous directions, or offer insult, to a worthy teacher.



On my first arrival in Upper Canada, I met with a very intelligent Englishman, who conducted a school in this country ; he told me with a tearful eye, that in consequence of this latter circumstance his situation became odious to him.

"Sir" said he, "were it not that I am still encouraged by two or three respectable families, I would as soon be found thieving as keeping school here !"

In the bitterness of his feelings, he had not considered that similar miseries might have afflicted him in an English, as well as in a Canadian, village.

"Painful preeminence yourself to view

"Above life's weakness, and its comforts too."

As perfection is not attainable, and such as for faults will not be long without finding them, so those who listen to the tales of childhood, will always have enough to hear.

One withdraws his child from school having heard its complaint against the teacher. And as nothing is easier propagated than prejudice, he soon gets others to think ill of the same teacher, so that he may not appear whimsical, or singular himself, a practice just as illiberal as that of a man who, having stolen your purse, robs you of reputation also !

The broils and bickerings of neighbors and parents will often be mimicked by the children, and the whispers of the schoolroom are but the echoes of the domestic fireside.

From hence arises much of the illiberal censure which even the best and most impartial teachers must endure ; the scholar, much happier, has but one master, but here the teacher has many : and if the frivolous reports of his own pupils are to influence the parents, a master becomes not only wretched in mind, but altogether destitute of authority :—though he can only be useful in proportion as his character is held sacred, or his endeavours seconded by the judicious aid of the present.

A man of real merit, is ever the more obnoxious to the envious and unprincipled, as it is generally observed to be the sweetest fruit, which the little birds pick at ; so the malignant spirit of little minds, are ever busy ; and like that painful, but puny annoyer, the musquito, seems only created to murmur and to sting !

That "the authority of a Master, for the time supersedes that of a parent, who has no right to interfere with the regulations of a school," is a point lately confirmed by a British Judge, at the Lancashire Assizes.

"I have" says the compiler of the American Preceptor, "often heard old and experienced instructors declare that the whole business of managing a large school, and training the pupils to learning and virtue, was nothing in comparison with the trouble which was given by whimsical, ignorant and discontented parents."

Let it then be the business of every friend to education, to awaken more liberal sentiments with respect to both teachers and pupils. A glorious field is open to our view ; and our Legislatures are aiding in its cultivation. In addition to a small annual stipend, they have very judiciously endeavoured to shield the teacher from the effects of local prejudice or frivolous complaint, by referring such cases to the decision of the Board of Education.

While some parents forbid the rigour necessary to remove the vices, or unlearn the errors acquired by parental indulgence, others most approve of those passionate pedagogues, who prefer stripes to precepts, and in higgling with a preceptor about his recompense, think they have made a good bargain, when they get one who will whip their children for half a dollar per quarter less than another would charge to instruct them !

While they hesitate not in giving a labourer a dollar per day for his services, whose labours, though severe, are not equal to those of the mind.

A schoolmaster who receives twenty-five dollars from Government, is expected to teach a scholar for a dollar and a half per quarter ; his recompense therefore from the parent is one penny per day, and for this he has often to give six lessons !

Now, should this man have a family resident in the neighbourhood, (and which should always if possible be the case), he will seldom require cash from his subscribers while they supply him with produce ; so that were his recompense greater, it would scarcely be felt by the farmers or merchants.

But the littleness of conduct in their treaty with teachers, is so very opposite to the disinterested hospitality of Canadians, that it must have originated from a want of due consideration on the importance and value of education ; for, as the morals and prosperity of every country must go hand in hand, so the dispensers of public instruction should be proportionally rewarded.

Nothing is more encouraging to any author, than to find his own opinion supported by the best and most disinterested authority ; my quotations will therefore be pardoned.



Pinkerton, in his remarks on the Education of America observes that, "as nothing is more important in any country than the national education, it would be for interest and honour of the people at large, that numerous and competent salaries should be assigned as to the dispensers of public instruction.

"As in the general opinion of mankind, the chief glory of every people arises from its authors, a few thousand pounds annually expended on them would confer more true lasting fame, than millions wasted in destructive wars."

"As without lamps there cannot be light, so without oil the lamps must expire."

Now, as we always find reward ever stimulates to exertion, how can it be better bestowed than on those who have the care of our offspring, and whose talents must stamp the character of a future generation?

The Rev. Dr. Strachan, in preface to his Arithmetic, very properly observes that "he who is anxious to spare labour, ought not to be a public teacher." And it may be added, that those who are anxious to withhold adequate reward, are not worthy of a good one.

"The usual lazy and short way by chastisement, and the rod, which is," says the immortal Locke, "the only instrument of Government that tutors generally know, or ever think of, is the most unfit of any to be used in education.

"But if you can once get into children a love of credit, and an apprehension of shame and disgrace, you have put into them the true principle which will constantly work and incline them to the right."

Thus it is easy to conceive that a man may be a good grammarian, an expert arithmetician, a fine penman, etc., and yet be found a bad teacher. If the inhabitants of Japan can educate their youth without the degradation of personal chastisement, why might not the same thing be done, or at least attempted, in other countries?

But in Canada, learning requires stable as well as able men, but how can stability be expected from young adventurers, or travelling strangers, or who can be responsible for their moral character?

In many townships, a teacher of twelve months standing is a prodigy; one of as many weeks the most common.

One might also well suppose, that, from the continual accounts given in the public papers, of the most abominable imposters finding employment and encouragement, as school masters, that parents would be found more cautious, or vigilant in their choice. God forbid, that by this hint, I should be thought to impeach the morals or merit of strangers in general,—many of whom have certainly proved themselves worthy of the great confidence reposed in them; but, as a parent, I may be excused the anxiety which I feel, and would wish to be felt by others, in the choice of those who may either pollute, or elevate, the minds of our offspring.

Indeed were I to have a choice I should certainly prefer him who was himself a parent, for the instructor of my own children, even though his talents might be the less shining.

How opposite also is this to the impolitic plan of employing unsettled and single men, who as soon as they have obtained the cash for their quarter's hire, move off and spend it in another place. Can such itinerant teachers be expected to leave many traces of instruction behind them?

It is with much pleasure I perceive that many worthy people in this new world can duly value everything connected with a subject so important.

"Consider," says Walkers, "how much time is lost by master and scholars for want of a warm, convenient room.

"One might suppose from the shattered condition and ill accommodation of many school-houses, that they were erected as pounds, to confine unruly boys, and punish them by way of freezing them and smoking them, so that the master can do little more than regulate the ceremonies of the hearth.

"Proper books in the several branches of their study, are a great encouragement.

"A good opinion of their master is another thing parents ought to give them. To slander his character is an indirect attack upon your dearest interest."

But one might well suppose, that could no other virtuous example be found among those who have deigned to "teach the young idea how to shoot," that in North America, the name of Anthony Benezet, would ever diffuse a lustre on an office so arduous and important.

## CHAPTER XXXI.

## EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1819.

Lieutenant-Governor Sir Peregrine Maitland, opened the fourth session of the Seventh Parliament of Upper Canada on the seventh day of June, 1819, with a Speech from the Throne. In it he made no reference to the subject either of education or schools.

Nevertheless, three subjects came up for discussion, in the Legislature itself two of them practically the old questions in a new form. The one was the repeal, or modification, of the Grammar School law of 1807, and the other was the maintenance of the Common Schools already established, by the passing of an Act to continue in operation the Act of 1816, under the authority of which a grant of \$24,000 a year was secured to these schools for four years.

This Act was limited to expire in 1820, and hence the necessity of early provision being made for its continuance in operation.

The third matter dealt with a remote contingency, and was suggested by the Lieutenant-Governor. It was that an Act should be passed, enabling a constituency to be named to elect a Member to represent the University of Upper Canada, when in established, in the Commons House of Assembly.

The Grammar School Amendment Bill was the only one of the three which survived the ordeal of legislation. The continuance of the Common School Act was practically prevented by such amendments being made to it in the Legislative Council as destroyed its prospective vitality beyond the time when it was fixed by law to expire. The University Representation Bill, though prepared with evident care, was referred to a Committee of Conference of both Houses, from which it never emerged. But during the next Session of the Legislature the proposal became law. As a practical question, however, it has never since been favourably considered, and, as a reality, has evidently been postponed *sine die*. The provision for this representation, with the Act itself, was repealed by the Imperial Act for the union of the Canadas in 1840.

## EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1819.

The Members of the House of Assembly who took part in the educational Legislation of 1819 were: Messieurs Philip VanKoughnet, Jonas Jones, Isaac Fraser, Richard Hatt, Peter Robinson, Robert Nichols, James Durand, Zaccheus Burnham, Robert Nelles and Alexander McMartin.

10th June, 1819.—Mr. Philip VanKoughnet, gives notice that he will, on Monday next, move for leave to bring in a Bill to repeal part of and amend the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same.

Mr. Philip VanKoughnet, gives notice that he will, on Monday next, move for leave to bring in a Bill to continue an Act passed in the fifty-sixth year of His Majesty's reign (1816) intituled "An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province and to provide for the regulations of said Common Schools."

*15th June, 1819.*—Agreeably to notice Mr. Philip VanKoughnet, seconded by Mr. Isaac Fraser, moves for leave to bring in a Bill to repeal part of, amend, and extend the provisions of an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled "An Act to establish Public Schools in each and every District of this Province," which was granted and the Bill read a first time.

Mr. Philip VanKoughnet, seconded by Mr. Isaac Fraser, moves that the District (Grammar) School Bill be read a second time on to-morrow, which was ordered.

Mr. Philip VanKoughnet, seconded by Mr. Jonas Jones, moves for leave to bring in a Bill to continue an Act passed in fifty-sixth year of His Majesty's reign (1816) intituled "An Act for granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the regulations of said Common Schools, which was granted and the Bill read a first time.

Mr. Philip VanKoughnet, seconded by Mr. Jonas Jones, moves that the Common School Continuation Bill be read a second time on to-morrow, which was ordered.

*16th June, 1819.*—Agreeably to the Order of the Day, the District (Grammar) School Amendment Bill was read the second time.

Mr. Philip VanKoughnet, seconded by Mr. Richard Hatt, moves that the House do now resolve itself into a Committee to take into consideration the District (Grammar) School Amendment Bill, which was carried, and Mr. Peter Robinson took the chair of the Committee.

The House having resumed, Mr. Peter Robinson reported progress, and obtained leave to sit again to-morrow.

Agreeably to the Order of of the Day, the Common School Continuation Bill was read the second time.

Mr. Philip VanKoughnet, seconded by Mr. Isaac Fraser, moves that the House do now resolve itself into a Committee, to take into consideration the Common School Continuation Bill, which was carried, and Mr. Ralph Clench took the chair of the Committee.

The House having resumed, Mr. Clench reported the Bill amended. Ordered that the Report be received.

Mr. Philip VanKoughnet, seconded by Mr. Jonas Jones, moves that the Common School Continuation Bill be engrossed and read a third time to-morrow, which was ordered.

*17th June, 1819.*—Agreeably to the Order of the Day, the Common School Continuation Bill was called for a third reading, when Mr. Robert Nichol, seconded by Mr. Richard Hatt, moved that the Common School Continuation Bill be read a third time on Monday se'nnight, which was lost, and the Bill was read the third time.

Mr. Philip VanKoughnet, seconded by Mr. Jonas Jones, moves that the Common School Continuation Bill do now pass, and that it be intituled "An Act to continue an Act passed in the fifty-sixth year of His Majesty's reign (1816), intituled, "An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province' and to provide for the regulations of the said Common Schools."

In amendment, Mr. Robert Nichol, seconded by Mr. Richard Hatt, moves that the question be not now put, which motion was lost, the original question was then put and carried, and the Bill was signed by the Speaker.

Mr. Jonas Jones, seconded by Mr. Isaac Fraser, moves that Messieurs VanKoughnet and Cameron be a Committee to carry up the Honourable the Legislative Council the Common School Continuation Bill, and request their concurrence thereto, which was ordered.

*17th June, 1819.*—Agreeably to the Order of the Day, the House went into Committee on the District (Grammar) School Amendment Bill, Mr. Peter Robinson in the chair.

The House having resumed, Mr. Robinson reported the Bill as amended. Ordered, that the Report be received.

Mr. Philip VanKoughnet, seconded by Mr. James Durand, moves that the District (Grammar) School Amendment Bill be engrossed and read a third time on to-morrow, which was ordered.

*18th June, 1819.*—Agreeably to the Order of the Day, the District (Grammar) School Amendment Bill was read the third time.



Mr. Peter Robinson, seconded by Mr. Zaccheus Burnham, moves that the District (Grammar) School Amendment Bill do now pass, and that it be intituled, "An Act to Repeal part of, and to Amend, the laws now in force for establishing District (Grammar) Schools in the several Districts in this Province, and to extend the provisions of the same," which was carried and the Bill signed by the Speaker.

Mr. Robert Nelles, seconded by Mr. Zaccheus Burnham, moves that Messieurs VanKoughnet and Robinson be a Committee to carry up to the Honourable the Legislative Council the District (Grammar) School Amendment Bill, and request their concurrence thereto, which was ordered.

Mr. VanKoughnet, of the Committee to carry up to the Honourable the Legislative Council the Bill intituled, "An Act to continue an Act passed in the fifty-sixth year of His Majesty's Reign (1816), intituled, "An Act granting to His Majesty a sum of Money to be applied for the use of Common Schools throughout this Province, and to provide for the Regulations of the said Common Schools," and the Bill intituled, "An Act to repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," and request their concurrence thereto, reported that they had done so.

### UNIVERSITY REPRESENTATION IN THE HOUSE OF ASSEMBLY.

*22nd June, 1819.*—A message from His Excellency Sir Peregrine Maitland, the Lieutenant-Governor, was read, as follows :

#### P. MAITLAND :

The Lieutenant-Governor transmits the Petition of certain inhabitants of Perth and the New Settlement in the County of Leeds [*re* Representation in the Commons], and at the same time submits the propriety of providing for a distinct representation of the contemplated University, when founded, in conformity to the established practice in the Mother Country.

GOVERNMENT HOUSE,  
June 22nd, 1819.

P.M.

Mr. Robert Nichol, seconded by Mr. Richard Hatt, moved that the House take this Message of His Excellency into consideration to-morrow. Which was ordered.

Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable the Legislative Council a Message, which, having delivered, he withdrew, and the Speaker read the same as follows :

#### MR. SPEAKER :

The Honourable the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of a Bill intituled, "An Act to Repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same."

The Legislative Council have appointed a Committee of two of its Members, who will be ready to meet the Committee of the Commons House of Assembly for that purpose in the Legislative Council Chamber at the rising of this House this day.

LEGISLATIVE COUNCIL CHAMBER,  
22nd June, 1819.

WM. DUMMER POWELL,  
Speaker.

Mr. Richard Hatt, seconded by Mr. Philip VanKoughnet, moves that Messieurs VanKoughnet, Nichol, Durand and Burnham be a Committee to confer with the Committee of the Honourable the Legislative Council on the subject of the District (Grammar) School Bill, which was ordered.

Mr. Philip VanKoughnet, seconded by Mr. Peter Robinson, moves that Messieurs Hatt and Fraser be a Committee to acquaint the Honourable the Legislative Council that this House has appointed a Committee to confer with the Committee of that Honourable House on the subject of the Bill intituled, "An Act to Repeal part of, and amend, an Act passed in the forty-seventh year of His Majesty's Reign (1807) intituled, 'An Act to establish District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same,'" at the rising of that House, which was ordered.

Mr. Richard Hatt, of the Committee to take up to the Honourable the Legislative Council a Message acquainting them that this House had appointed a Committee to confer with the Committee of that House on the subject of the Bill intituled, "An Act to Repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," reported that they had done so.

Mr. Peter Robinson, of The Committee on Expiring Laws, reported as follows [re Common School Act]: "That 56 George III., cap. 38, intituled, 'An Act granting to His Majesty a Sum of Money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulations of said Common Schools,' will expire on the 1st of April, 1820."

23rd June, 1819.—Mr. Philip VanKoughnet, of the Committee to confer with the Committee of the Honourable the Legislative Council on the subject of the Bill intituled, "An Act to Repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," presented a Report, which was received and read as follows :

MR. SPEAKER :

The Committee appointed to confer with the Committee of the Honourable the Legislative Council on the subject of the Bill intituled, "An Act to Repeal part of, and amend, the laws now in force, passed in the forty-seventh year of His Majesty's reign (1816), intituled, "An Act to establish Public (Grammar) Schools in each and every District of this Province, and to extend the provisions of the same,' having met the Committee of that House in the Legislative Council Chamber, the following amendments in, and to, the said Bill were proposed by the Committee of the Honourable the Legislative Council, which, as they did not, in the opinion of your Committee, apply the money clauses of the Bill, your Committee agreed to recommend the same for the adoption of this House." The amendments are as follows :

At a public meeting of the Trustees of the District School, upon due notice for that purpose, a majority of the Trustees being present, etc. :

After the word "kept," in the tenth clause, expunge : "at such place as the Trustees, or the majority of them, shall appoint," and insert : "the Town of Hamilton in the District of Gore." After the word "that," in the third line, fifth press, expunge the remainder of the clause, and insert : "to every teacher, hereafter to be appointed, there shall be only Fifty Pounds paid, unless the average number of scholars exceed ten."

P. VANKOUGHNET,  
Chairman.

COMMONS HOUSE OF ASSEMBLY,  
23rd June, 1819.

Agreeably to the Order of the Day, the House went into Committee on the Message of His Excellency on the subject of University Representation in the Commons' House of Assembly, Mr. Crysler in the chair.

The House having resumed, Mr. Crysler reported that the Committee had agreed upon a Resolution, as follows :

That it is the opinion of this Committee that it is expedient and proper to provide for . . . the District representation of the contemplated University of this Province, when the same shall be organized, in conformity with the established practice in the Mother Country. Ordered, that the report be received, and the Resolution adopted by this House.

24th June, 1819.—Mr. Jonas Jones, seconded by Mr. Alexander McMartin, moves that Messieurs VanKoughnet and Cameron be a Committee to acquaint the Honourable the Legislative Council that this House has received the Report of their Committee of Conference on the subject of the Bill intituled, "An Act to Repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," which was ordered.

Mr. VanKoughnet, of the Committee to carry up to the Honourable the Legislative Council a Message acquainting them that this House had concurred in the Report of their Committee of Conference on the subject of the Bill intituled, "An Act to Repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of the Province, and to extend the provisions of the same," reported that they had done so.

26th June, 1819.—Mr. Secretary Hillier brought down from His Excellency the Lieutenant-Governor a Message, which he delivered to the Speaker, who, after Mr. Secretary Hillier had withdrawn, read the same as follows :

P. MAITLAND :

The Lieutenant-Governor transmits to the House of Assembly copies of such reports as have been received from the Board of Education in the several Districts on the subject of Common Schools since the last communication made to the House on that subject.

GOVERNMENT HOUSE,  
June 26th, 1819.

P. M.

Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable the Legislative Council the Bill, intituled "An Act to Repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," sent up from this House, which they had passed with some amendments, which they recommended to the adoption of this House.

The messenger having withdrawn, the amendments were read the first time.

Mr. Philip VanKoughnet, seconded by Mr. Isaac Fraser, moves that the amendments made by the Honourable the Legislative Council to the Bill intituled "An Act to Repeal part of, and to amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," be now read a second time, which was carried, and the amendments were read the second time.

Mr. Philip VanKoughnet, seconded by Mr. Isaac Fraser, moves that the House do now resolve itself into a Committee of the Whole to take into consideration the amendments made by the Honourable the Legislative Council to the Bill, intituled "An Act to Repeal part of, and to amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," which was carried and Mr. Jonas Jones took the chair of the Committee.

The House having resumed, Mr. Jones reported the Amendments. Ordered, That the Report be received.

Mr. Philip VanKoughnet, seconded by Mr. Isaac Fraser, moves that the amendments made by the Honourable the Legislative Council to the Bill intituled "An Act to Repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same, be now read for the third time, which was carried, and the amendments were read for the third time, passed, and signed by the Speaker.

Mr. Philip VanKoughnet, seconded by Mr. Jonas Jones, moves that Messieurs Fraser and Catter be a Committee to acquaint the Honourable the Legislative Council that this House have adopted the amendments by that House to the Bill, intituled "An Act to Repeal part of, and to amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," which was ordered.

Mr. Fraser, of the Committee to acquaint the Honourable the Legislative Council that this House had adopted the amendments made by them to and in the Bill, intituled "An Act to Repeal part of, and to amend, the laws now in force for establishing District Schools in the several Districts of this Province, and to extend the provisions of the same," reported they had done so.

30th June, 1819.—Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable, the Legislative Council the Bill intituled "An Act to continue an Act passed in the fifty-sixth year of His Majesty's Reign (1816), intituled 'An Act granting to His Majesty a sum of money, to be applied to the use of Common Schools throughout this Province and to provide for the Regulations of the said Common Schools,' which they had passed with some amendments which they recommended to the adoption of this House.

Mr. Robert Nichol, seconded by Mr. Philip VanKoughnet, moves that the amendments of the Honourable the Legislative Council in and to the engrossed Bill sent up from this House for their concurrence, intituled "An Act to continue an Act passed in the fifty-sixth year of His Majesty's reign (1816), intituled 'An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulations of the said Common Schools,' be now read, which was carried, and the amendments read, were as follows :

In the title, line 1, after "to" expunge "continue" and insert "repeal part of" ; line 3, after "schools," insert "and to continue part of the same."



In the Bill, line 10, after "that," expunge the remainder of the Bill, and insert "the second and third clauses of the said Act of the fifty-sixth year of His Present Majesty be, and the same are hereby repealed."

And be it further enacted by the authority aforesaid, that the Trustees of the said Common Schools shall be annually chosen at the Town Meeting, on the first Monday in each and every year in the same manner that other Parish and Town officers by law now are, and that it shall and may be lawful for the said Trustees, or the majority of them, upon due notice being given to them that there is a fit and convenient lot and house for the purpose of keeping the said Common School in, conveyed to the Town and Churchwardens for the Township for which they may be chosen Trustees, to nominate and appoint a fit and proper person to be Teacher to the said Common School. Provided always that no more than one salary be paid to a Teacher of a Common School in any one Township.

And be it further enacted by the authority aforesaid that no further payment be made by warrant on the Receiver-General to the Treasurer of any District for the purposes of the said Act, until he shall have transmitted to the Inspector-General of Public Accounts due accounts, vouchers and receipts for the moneys heretofore paid to him in that behalf.

And be it further enacted by the authority aforesaid that this Act, and so much of the said Act of the fifty-sixth year of His Present Majesty's reign (1816) as is not hereby repealed shall continue and be in force for four years from and after the first day of January next (1820), and from thence to the end of the next ensuing session of the Provincial Parliament, and no longer.

(NOTE.—These amendments seem to have been regarded by the House of Assembly as fatal to the Bill—especially the one which says: "In the title, line one, after the word "to" expunge "continue," and insert "repeal part of." After reading these amendments the House of Assembly apparently took no further action in the matter.)

*2nd July, 1819.*—Agreeably to the Order of the Day, the House went into Committee on the Representation Bill, Mr. Jonas Jones in the chair.

The House having resumed, the Chairman reported the Bill as amended. Ordered, That the Report be received.

Mr. James McNabb, seconded by Mr. Zaccheus Burnham, moves that the Representation Bill be engrossed, and read a third time to-morrow. Which was ordered.

*3rd July, 1819* —Agreeable to the Order of the Day, the University Representation in the House of Assembly Bill was read the third time, and the motion to that effect was carried in the affirmative by a vote of seventeen to one, as follows:

YEAS:—Messieurs Fraser, Durand, McCormick, Clench, Burnham, Secord, McMartin, Nichol, Robinson, Hatt, Cameron, Jones, Hall, Swayze, Nelles, Crysler and Cotter—17.

NAYS:—Mr. Vankoughnet—1.

Mr. Robert Nichol, seconded by Mr. Jonas Jones, moved, as a Ryder to the Bill, the following clause:—

"Be it enacted by the authority aforesaid, that, whenever a University shall be established in this Province, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province for the time being, to declare by proclamation, or otherwise, the tract of land appendant to such University, and whereon the same is situated to be a Town or Township, by such name as to him shall seem meet; and that such Town, or Township, so constituted, shall be represented by one member. Provided always, nevertheless, that no person shall be permitted to Vote at any such Election for a member to represent the said Town, or Township, who, besides the qualifications now by law required, shall not also be entitled to vote in the convocation of the said University."

Upon which the House divided and the yeas and nays being taken, it was decided in the negative by a majority of ten, and the Bill was sent up to the Legislative Council for its concurrence thereto.

*6th July, 1819* —The amendments made by the Honourable the Legislative Council to the Bill intituled "An Act to increase the Commons of this Province and University in the House of Assembly," which the Council had sent down that day were read the first time, as follows.

Press 2, line 5: After "Province" insert "and let it be further enacted by the authority aforesaid, that, whenever an University shall be established in this Province, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this

Province for the time being, to declare by proclamation or otherwise the tract of land appendant to such University, and whereupon the same is situated, to be a Town or Township, by such name as to him shall seem meet, and that such Town or Township shall be represented by one member; provided always, nevertheless, that no person shall be permitted to vote at such election for a member to represent the said Town or Township who, beside the qualifications now by law required, shall not also be entitled to vote in the Convocation of the said University."

Mr. Jonas Jones, seconded by Mr. Robert Nelles, moves that the amendments made by the Honourable the Legislative Council to the Bill sent up from this House intituled, "An Act to increase the Representation of the Commons of this Province and University in the House of Assembly, be read a second time on to-morrow. Which was ordered.

*7th July, 1819.*—The amendments to the Bill intituled, "An Act to increase the Representation of the University and Commons of this Province in the House of Assembly were read the second time.

Mr. Jonas Jones, seconded by Mr. Peter Robinson, moves that the House do now resolve itself into a Committee of the whole on the Amendments made by the Honourable the Legislative Council to the engrossed Bill, intituled, "An Act to increase the representation of the Commons and University of this Province in the House of Assembly." Which was carried, and Mr. Cotter took the chair of the Committee.

The House having resumed, Mr. Cotter reported that the Committee had agreed to a Resolution, which he was directed to recommend for the adoption of the House. Ordered that the Report be received; the Resolution was adopted as follows:—

Resolved, that it is the opinion of this Committee that a Conference be requested with the Honourable the Legislative Council on the amendments made to a Bill sent up from the House, intituled, "An Act to increase the representation of the Commons and University of this Province in the House of Assembly."

Mr. Jonas Jones, seconded by Mr. Zaccheus Burnham, moves that Messieurs Hall and Crysler be a Committee to request a Conference with the Honourable the Legislative Council on the subject of their amendments to the Bill intituled, "An Act to increase the representation of the Commons and University of this Province in the House of Assembly." Which was ordered.

*8th July, 1819.*—Mr. Jonas Jones of the Committee to carry up to the Honourable the Legislative Council a message requesting a Conference on the subject of the Amendments made by them to the Bill intituled, "An Act to increase the representation of the Commons and University of this Province in the House of Assembly," reported that they had done so.

Mr. Jonas Jones, seconded by Mr. Alexander McMartin, moves that Messieurs Durand, Hatt, Fraser and Nelles be a Committee to confer with the Committee of the Honourable the Legislative Council on the subject of their amendments to the Bill intituled, "An Act to increase the representation of the Commons and University of this Province in the House of Parliament." Which was ordered.

The two Houses, as will be seen by their proceedings, appointed Committees of Conference on this University Representation Bill. But there is no record in the Journals of either House that they ever met. The Legislature was prorogued on the 12th of July, so the Bill did not pass; but provision was made for such representation of a Provincial University in the House of Assembly during the next Session of the Legislature.

## 2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL IN 1819.

The members of the Legislative Council who took part in its proceedings in 1819 were the Honourable Messieurs William Dummer Powell, Chief Justice, (Speaker), Thomas Scott, James Baby, John McGill, William Claus, William Dickson, Thomas Clark and Thomas Fraser. The names of those who took part in the educational legislation of the session are not given in the Journals of the Council—the usual formula employed being, "On motion made and seconded," etc.



The Council did not originate any educational legislation itself, but received and discussed the legislation of that kind sent up from the House of Assembly.

Apparently one of the reasons why the Common School Continuation Bill sent up by the House of Assembly, was not passed in the form in which it reached the Council was, that the reports of the local trustees, which the Act of 1816 required to be made annually, were not laid before the House. The Council addressed the Lieutenant-Governor on the subject, and he sent them the only copies which he had received. None of these reports have been preserved.

*18th June, 1819.*—The Legislative Council met this day, pursuant to adjournment. A deputation from the Commons House of Assembly being announced, it was admitted, and brought up for the concurrence of the House: A Bill intituled “An Act to continue an Act passed in the fifty-sixth year of His Majesty’s reign (1816), intituled, ‘An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools.’” And a Bill intituled, “An Act to repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of the Province, and to extend the provisions of the same.” The deputation having withdrawn, the said Bills were read a first time; and on motion, made and seconded, the Bill intituled, “An Act to repeal part of, and amend, the laws now in force for establishing District Grammar Schools in the several Districts of this Province, and to extend the provisions of the same,” was ordered to be read a second time on Monday next.

*21st June, 1819.*—The House met, pursuant to adjournment. Pursuant to the Order of the Day, the Bill intituled, “An Act to repeal part of, and to amend, the laws now in force for establishing District Grammar Schools in the several districts of this Province, and to extend the provisions of the same,” was read a second time, and on motion, made and seconded, the House resolved itself into a Committee of the whole to take the same into consideration. The Honourable Thomas Clark in the chair.

The Speaker having resumed the Chair, Mr. Clark reported, That the Committee had taken the Bill into consideration, had made some progress therein, and requested leave to sit again to-morrow. Ordered, That the said Report be accepted, and leave given accordingly.

*22nd June, 1819.*—The House met pursuant to adjournment.

Pursuant to the Order of the Day, the House resolved itself into a Committee of the Whole, to take the Bill intituled, “An Act to repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same,” into further consideration. The House went into Committee, the Hon. Thomas Clark in the chair.

The Speaker having resumed the Chair, Mr. Clark reported, that the Committee had taken the said Bill into further consideration, and recommended that a conference be requested with the Commons House of Assembly on the subject matter thereof. Ordered, that the said Report be accepted, and the Honourable Messieurs Baby and Dickson be appointed a committee for that purpose.

A Message in the following words, signed by the Speaker, was, by Mr. W. W. Baldwin, the Master-in-Chancery, carried down and delivered to the House of Assembly:

MR. SPEAKER:

The Honourable the Legislative Council requests a conference with the Commons House of Assembly on the subject matter of the Bill intituled, “An Act to repeal part of, and to amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same.” The Legislative Council has appointed a Committee of two of its members, who will be ready to meet the Committee of the Commons House of Assembly for that purpose in the Legislature Council Chamber, at the rising of this House this day.

WM. DUMMER POWELL,

Speaker.

LEGISLATIVE COUNCIL CHAMBER,

22nd June, 1819.



On motion, made and seconded, the Bill intituled, "An Act to continue an Act passed in the 56th year of His Majesty's reign, (1816). intituled, 'An Act granting to His Majesty a sum of Money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulations of the said Common Schools,'" was read a second time, and, on motion made and seconded, the House resolved itself into a Committee of the Whole to take the same into consideration.

The House went into Committee, the Honourable James Baby in the chair.

The Speaker having resumed the Chair, Mr. Baby reported that the Committee had taken the said Bill into consideration, and had made some progress therein; they submitted to the consideration of the House an Address to His Excellency the Lieutenant-Governor, requesting him to order the Reports of the several Boards of Education, appointed by virtue of the said Act, to be laid before this House. Ordered, that the said report be accepted; and the said Address was read. On motion, made and seconded, it was ordered to be engrossed and read again this day.

A deputation from the Commons House of Assembly being announced, it was admitted, and brought up and delivered at the Bar of this House a Message in the following words:

MR. SPEAKER:

The Commons House of Assembly have appointed a Committee to confer with the Committee of the Honourable the Legislative Council on the subject of the Bill intituled:

"An Act to repeal part of, and amend, an Act passed in the forty-seventh year of His Majesty's reign (1807), intituled, 'An Act to establish District Schools in the several districts of this Province, and to extend the provisions of the same.'"

ALLAN MCLEAN,  
Speaker.

COMMONS' HOUSE OF ASSEMBLY,  
22nd June, 1819.

The deputation having withdrawn, the said Message was read.

Pursuant to the Order of the Day, the engrossed Address to His Excellency the Lieutenant-Governor was read as follows:

MAY IT PLEASE YOUR EXCELLENCY:

The Legislative Council respectfully submit to your Excellency that by the Act for the Regulation of Common Schools about to expire and now under consideration, provision was made for annual information to the Legislature by the reports of the several Boards of Education of the state of the Common Schools within their respective Districts, which information from such reports not having been received, your Excellency is respectfully solicited to direct the reports of the several Boards of Education under the said Act to be laid before the Legislative Council."

WM. DUMMER POWELL,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
22nd June, 1819.

The Honourable Messieurs Dickson and Clark were appointed a Committee to wait upon His Excellency with the Address.

23rd June, 1819.—The Committee appointed to wait upon His Excellency with the Address of this House reported that they had done so, and that he had been pleased to make the following answer thereto:

*Honourable Gentlemen of the Legislative Council:*

I will direct that copies of such reports from the Boards of Education as have been received shall be laid before you.

P. M.

GOVERNMENT HOUSE, YORK,  
23rd June, 1819.

Which was read by the Speaker.

The Committee appointed to confer with the Committee of the Commons' House of Assembly, on the subject matter of the Bill intituled, "An Act to repeal part of, and amend, the laws now in force for establishing District Schools in the several Districts of this Province, and to extend the provisions of the same," reported that they had done so, and had agreed to certain amendments, which they recommended to the adoption of the House. Ordered, that the said report be accepted.

*24th June, 1819.*—The House met pursuant to adjournment. A deputation from the Commons' House of Assembly being announced, it was admitted, and brought up and delivered a Message in the following words :

Mr. SPEAKER :

The Commons' House of Assembly concur in the report of their Committee of Conference on the subject of the Bill intituled, "An Act to repeal part of, and to amend, the laws now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same."

ALLAN McLEAN,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
24th June, 1819.

The deputation having withdrawn, the said Message was read.

On motion, made and seconded, the House resolved itself into a Committee of the Whole to take the Bill intituled, "An Act to Repeal part of, and amend, the laws now in force for establishing District (Grammar) Schools in the several districts of this Province, and to extend the provisions of the same," into further consideration.

The House went into Committee, the Hon. Mr. Baby in the chair.

The Speaker having resumed the Chair, Mr. Baby reported that the Committee had gone through the said Bill, to which they had made some amendments, which they submitted to the adoption of the House. Ordered, that the said report be accepted, and the amendments, being read, were ordered to be engrossed, and the Bill, as amended, read a third time to-morrow.

*26th June, 1819.*—A Message from His Excellency the Lieutenant-Governor being announced, Mr. Secretary Hillier was admitted, who informed the House that he was directed by His Excellency the Lieutenant-Governor to deliver a Message and certain papers to the House. Mr. Secretary Hillier having withdrawn, the said Message was read as follows :

The Lieutenant-Governor transmits to the Honourable the Legislative Council, the Petition of certain inhabitants of Perth and the new settlements in the county of Leeds for a particular representation in the Legislature ; and at the same time submits for consideration the propriety of providing for a distinct representation of the contemplated Provincial University when organized, in conformity to the established practice in the Mother Country.

P. M.

GOVERNMENT HOUSE, YORK,  
22nd June, 1819.

A further Message from His Excellency the Lieutenant-Governor was read as follows :

The Lieutenant-Governor transmits to the Honourable the Legislative Council copies of all the reports that have been received from the Boards of Education in the several districts on the subject of Common Schools.

P. M.

GOVERNMENT HOUSE, YORK,  
June 26th, 1819.

And the papers were ordered to lie on the table.

Pursuant to the Order of the Day, the Bill intituled, "An Act to repeal part of, and amend, the laws now in force for establishing District Schools in the several Districts of this Province, and to extend the provisions of the same," was read a third time as amended ; and on the question being put, if the Bill do now pass, it was carried in the affirmative, whereupon the Speaker signed the amendments, and they were by the Master-in-Chancery carried down, with the Bill, to the Commons' House of Assembly.

A deputation from the Commons' House of Assembly was admitted, which delivered a Message in the following words :

Mr. SPEAKER :

The Commons House of Assembly have adopted the amendments made by the Honourable the Legislative Council to the Bill intituled, "An Act to repeal part of, and to amend, the laws now in force for establishing District Schools in the several Districts of this Province, and to extend the provisions of the same."

ALLAN McLEAN,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
26th June, 1819.

The deputation having withdrawn, the said Message was read :

On motion, made and seconded, the House resolved itself into a Committee of the Whole to take into consideration a Bill intituled, "An Act to continue an Act passed in the 56th year of His Majesty's reign (1816), intituled, 'An Act granting to His Majesty a sum of Money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulations of the said Common Schools.'" The House went into Committee, the Hon. James Baby in the chair.

The Speaker having resumed the Chair, Mr. Baby reported that the Committee had made further progress in the said Bill, and requested leave to sit again on Monday next.

*28th June, 1819.*—The House met pursuant to adjournment: Pursuant to the Order of the Day, the House resolved itself into a Committee of the Whole to take into consideration the Bill intituled, "An Act to continue an Act passed in the fifty-sixth year of His Majesty's reign (1816), intituled, 'An Act granting to His Majesty a sum of Money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools,'" into consideration. The House went into Committee, the Hon. James Baby in the chair.

The Speaker having resumed the Chair, Mr. Baby reported that the Committee had taken the said Bill into consideration, and had made some further progress therein, and requested leave to sit again to-morrow. Ordered that the said report be accepted, leave given accordingly.

*29th June, 1819.*—Pursuant to the Order of the Day, the House resolved itself into a Committee of the Whole to take into consideration a Bill intituled, "An Act to continue an Act passed in the fifty-sixth year of His Majesty's reign (1816), intituled, 'An Act granting to His Majesty a sum of Money, to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools. The House went into Committee, Mr. Dickson in the chair.

The Speaker having resumed the Chair, the Hon. William Dickson reported that the Committee had gone through the said Bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered that the said report be accepted, and the said amendments, being read, on motion, made and seconded, ordered that the said amendments be engrossed, and the Bill, as amended, be read a third time to-morrow.

*30th June, 1819.*—The House met pursuant to adjournment. Pursuant to the Order of the Day, the Bill intituled, "An Act to continue an Act passed in the fifty-sixth year of His Majesty's reign (1816), intituled, 'An Act granting to His Majesty a sum of Money, to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools,'" was read a third time, as amended, and the question being put, if the said Bill, as amended do now pass, it was carried in the affirmative, whereupon it was, by the Master-in-Chancery, carried down to the Commons House of Assembly.

*3rd July, 1819.*—The House met pursuant to adjournment. A deputation from the Commons House of Assembly being announced, it was admitted, and brought up for the concurrence of this House the following, among other Bills, viz. :

An Act to increase the representation of the (University and) Commons of this Province in the House of Assembly. The deputation having withdrawn, the Bill was read a first time and ordered to be read a second time on Monday next.

*6th July, 1819.*—Pursuant to the Order of the Day, the University Representation in the Commons' Bill was read a second time and referred to a Committee of the whole House, the Hon. James Baby in the chair.

The Speaker having resumed the Chair, Mr. Baby reported the Bill, with amendments. Ordered that the said report be accepted, and the amendments being read, were ordered to be engrossed.

On motion, made and seconded, the University Representation in the Commons' Bill was read a third time, as amended, and the question being put, if the Bill as amended do now pass, it was carried in the affirmative, whereupon the Speaker signed the amendments, and they were, with the Bill, carried down by the Master-in-Chancery to the Commons' House of Assembly.



*8th July, 1819.*—A deputation from the House of Assembly being announced, it was admitted, and brought up a Message in the following words :

MR. SPEAKER :

The Commons House of Assembly request a Conference with the Honourable the Legislative Council on the amendments made by that House to the Bill sent up from this House, intituled, "An Act to increase the representation of the (University and) Commons of this Province in the House of Assembly.

ALLAN MCLEAN,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
8th July, 1819.

The Message being read Messieurs Dickson and Clark were appointed a Committee to confer with the Committee of the Commons on the University Representation in the House of Assembly Bill, and a message to that effect was sent down by the Master-in-Chancery to the Commons House of Assembly in the following words :

MR. SPEAKER :

The Honourable the Legislative Council have appointed a Committee of two of its Members to confer with a Committee of the Commons House of Assembly on the amendments made to the Bill intituled : "An Act to increase the representation of the Commons (and University) of this Province in the House of Assembly," in the Legislative Council Chamber at the rising of the House this day.

WM. DUMMER POWELL,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
8th July, 1819.

(NOTE.—No Conference appears from the Journals of either House to have taken place between the two Houses on this subject, so that the matter seems to have been allowed to drop.)

*12th July, 1819.*—The Council met pursuant to adjournment. At twelve o'clock Mr. Lee, the Gentleman Usher of the Black Rod, requested, by command of His Excellency the Lieutenant-Governor, the attendance of the Members of the Commons' House of Assembly in the Council Chamber. On being assembled there, the Lieutenant Governor was pleased, in His Majesty's name, to assent, among other Bills, to the one intituled, "An Act to repeal part of, and to amend, the law now in force for establishing District (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same" after which His Excellency closed the Sessions of the Legislature with a speech, in which he said :

Your inclination will, I am satisfied, lead you to renew, as early as shall be found possible, the assistance which you have been accustomed to afford the less opulent classes of His Majesty's faithful subjects for the education of their children, and I have no doubt the wisdom of Parliament, on a due consideration of the subject, will find the means of rendering a far more frugal grant than has hitherto been applied for that purpose, at least equally beneficial in that effect.

#### CHARACTERISTICS OF THE GRAMMAR SCHOOL AMENDMENT ACT OF 1819.

This Act was practically considered as a sort of compromise between the Grammar School Act of 1807 and the Common School Act of 1816, which the House of Assembly had sought to have continued in operation after the expiration of the time (1820) to which its duration was limited. The Legislative Council declined to pass it in the form in which it was sent up from the House of Assembly, and so altered its purport and intention, that the Assembly, after amendments of the Legislative Council were read, dropped the Bill entirely.

The more popular features of the following Grammar School Amendment Bill were (1) the provision for the free education in every Grammar School of ten "promising children of the poorer inhabitants;" (2) the necessity of holding an annual public examination of each Grammar School, at which the Trustees, "or a majority of them, shall assist;" (3) the obligation on the Trustees to report annually to the Lieutenant-Governor "the state of the said schools, the number of scholars, the state of education, with the different branches taught in the said schools," etc. The grant to all new teachers was reduced from \$400 a year to \$200.

#### 59TH GEORGE III., CHAPTER IV.

AN ACT TO REPEAL PART OF, AND TO AMEND, THE LAWS NOW IN FORCE FOR ESTABLISHING PUBLIC (GRAMMAR) SCHOOLS IN THE SEVERAL DISTRICTS OF THIS PROVINCE, AND TO EXTEND THE PROVISIONS OF THE SAME.

*Sir Peregrine Maitland, K.C.B., Lieutenant-Governor.*

*Passed 12th July 1819.*

MOST GRACIOUS SOVEREIGN,—

Whereas it hath been found expedient to repeal part of and to amend an Act Preamble, passed in the forty-seventh year of His Majesty's reign, intituled, "An Act to establish Public Schools in each and every District of this Province," and to extend the provisions of the same, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province," and by the authority of the same, That provision be made by Law for the establishing of a Public School in the District of Gore.

47 George III.,  
chapter 6,  
recited.

A District  
School estab-  
lished in the  
District of  
Gore.

2. And be it further enacted by the authority aforesaid, That from and out of the rates and duties raised, levied and collected, or hereafter to be raised, levied and collected, to and for the public uses of this Province, and unappropriated, there be granted annually to His Majesty, His Heirs and Successors, the sum of One Hundred Pounds, which sum of one hundred pounds shall be appropriated and applied and disposed of in paying the salary of the Teacher of the said School, which said sum of one hundred pounds shall be paid by the Receiver-General of this Province, in discharge of such warrant or warrants as shall for that purpose be issued by the Governor, Lieutenant-Governor, or Persons administering the Government of this Province, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be pleased to direct.

£100 per  
annum appro-  
priated to pay  
the salary of  
the Teacher.

3. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the Governor, Lieutenant-Governor, or Person administering the Government of the Province, to appoint Trustees and a Teacher in the said District of Gore, under the like provisions as are contained in the said Act of the forty-seventh year of His Majesty's reign, intituled, "An Act to establish Public Schools in each and every District of this Province."

Trustees to be  
appointed.

4. And be it further enacted by the authority aforesaid, That the Trustees of each and every District School within this Province shall direct a public examination of their respective Schools to be held previous to the usual annual vacation, at which they or a majority of them shall assist; and it is hereby required that such public examination shall be holden every year at the time aforesaid.

An annual  
public examina-  
tion to be  
held of every  
District  
School.

5. And be it further enacted by the authority aforesaid, That the Trustees for the respective District Schools, as aforesaid, in each and every District in this Province, shall, and they are hereby required, once in every year, after the public examination as aforesaid, to report to the Governor, Lieutenant-Governor, or Person administering the Government of this Province, the state of the said Schools, the number of scholars, the state of education, with the different branches taught in the said Schools, the number of scholars who have completed their education, together with all other matters and things that may tend to cherish the prosperity of the said Schools, or that may in any wise benefit the same, that the said report may be laid before the Legislature at its first meeting for their inspection.

Annual reports to be made by the Trustees of District Schools to the Lieutenant-Governor.

To be laid before the Legislature.

6. And be it further enacted by the authority aforesaid, That in order to extend the benefit of a liberal education to promising children of the poorer inhabitants, the Trustees of each and every School have the power of sending scholars, not exceeding ten in number, to be taught gratis at the respective District Schools.

Ten poor children to be educated at each school gratis.

7. Provided always, and be it further enacted by the authority aforesaid, That the said scholars so to be taught as aforesaid shall, once in every four years, be drawn by lot in manner following, viz., the Trustees for the Common Schools, now or hereafter to be established by virtue of an Act of the Parliament of this Province, shall and they are hereby authorized to return the name or names of one or more, not exceeding four, from each Common School of the most promising scholars, as aforesaid, of their respective Schools, to the Trustees of the District Schools for the District in which they shall respectively reside, which Trustees shall, and they are hereby required, at a special meeting to be openly held for that purpose, inscribe each and every name so returned to them on a separate and distinct slip of paper, being all as nearly as possible of the same size, which slip of paper shall be put into a box or glass, to be provided for that purpose, and at such meeting as aforesaid the same shall, in the presence of the said Trustees, be openly drawn by some disinterested person, and each and every scholar so chosen as aforesaid shall be entitled to receive his education gratuitously at the said District School, and the Teacher thereof shall and he is hereby required to educate such scholar as aforesaid.

How such scholars are to be selected.

8. And be it further enacted by the authority aforesaid, That in case any vacancy shall ensue in consequence of the refusal or decease, or from any other cause whatever, of any scholar or scholars drafted as aforesaid, to be taught in the District School, it shall and may be lawful for the Trustees of the Common School from which such scholar or scholars shall have been drafted to make a second ballot to fill up the vacancy.

Vacancies filled up.

9. And be it further enacted by the authority aforesaid, That so much of the third clause of the said Act, intituled, "An Act to establish Public Schools for each and every District in this Province," as relates to the Public Schools in the District of London and Johnston, be and the same is hereby repealed.

Parts of 47th George III., chapter 6, repealed.

10. And be it further enacted by the authority aforesaid, That the Public School for the District of London shall be opened and kept in the Town of Vittoria, in the Township of Charlotteville; and the Public School for the District of Johnston shall be opened and kept in the Village of Brockville, in the Township of Elizabethtown; and that the Public School for the District of Gore shall be opened and kept at the Town of Hamilton, in the District of Gore.

Where the Grammar Schools shall be kept in the Johnstown, Gore and London Districts.

11. Provided always, and be it further enacted by the authority aforesaid, That to every Teacher hereafter to be appointed there shall be only fifty pounds (£50) paid, unless the average number of scholars exceeds ten.

Teachers to receive only £50 per annum.

12. And be it further enacted by the authority aforesaid, That the certificates required from the Trustees by the twelfth clause of the said Act, passed in the forty-seventh year of His Majesty's reign (1807), shall declare that: "At a public meeting of the Trustees of the District Schools, upon due notice given for that purpose, a majority of the Trustees being present, we certify," etc., etc.

Form of certificate to be given by the Trustees, and when.



## FORMS FOR TRUSTEES UNDER THE COMMON SCHOOL ACT OF 1816.

1. *Form of Town or Township School Report.*

Form of a Quarterly Report of a Town or Township Common School, to be transmitted by the Trustees to the Board of Education for the District once every three months, viz., on the first day of September, the first day of December, the first day of March, and the first day of June in each and every year :—

Scholars' Names.	Branch of Education taught.	Books used.	Hours of School.	Teacher native born subject, or by Act of Parliament, or by oath of obligation.	Rules and Regulations of the School.
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We, the undersigned Trustees of the said School, do hereby certify the above to be a true and correct report of the School from us.

Dated at                      , 18                      A. B. }  
C. D. } Trustees.  
E. F. }

2. *Form of a Teacher's Certificate of Good Conduct and Service.*

(Form of Teacher's Certificate from the Trustees of a Town or Township Common School, to be sent to the District Board of Education every six months.)

We, the undersigned Trustees of the Common School in the Town [or Township] of                      , do hereby certify that A. B., the Teacher of the said School, hath demeaned himself with propriety and to our satisfaction [this may be varied] in the said office as Teacher, for the period of six months, from the first day of                      to the thirty-first day of                      , 18                      , and that he is entitled to be paid the sum granted for six months' service to each Teacher by law. And we, as Trustees, further certify that                      scholars are receiving education in our said School.

Dated at                      , this                      day of                      , 18                      C. D. }  
E. F. } Trustees of the Common  
G. H. } School in the Town [or  
                    } Township] of                      .

## CHAPTER XXXII.

PROCEEDINGS IN REGARD TO THE UPPER CANADA UNIVERSITY  
IN 1819.

From a Memorandum addressed by Lieutenant-Governor Sir John Colborne to his Executive Council in May, 1830, it appears that, early in 1819, Sir Peregrine Maitland, the Lieutenant-Governor, had brought before the Executive Council of that day the subject of a University for Upper Canada. Sir John Colborne, in his Memorandum, said :—

From the documents which the Lieutenant-Governor has examined, he finds that in 1819 the Executive Council, after reading the Duke of Portland's Despatch [of the 4th of November, 1797], in answer to an Address from the two Houses of the Provincial Parliament [dated the 3rd of July, 1797], soliciting an appropriation of Crown Lands for the support of an University, and Schools, stated that the appropriation of the quantity of land referred to by the Committee appointed [by President Russell] to take into consideration the Duke of Portland's Despatch [of November, 1796]\* was not sufficiently sanctioned to authorize grants in other portions than

\* The whole of these proceedings and documents (of 1797 and 1798) will be found on pages 16-26, *ante*.

those limited by His Majesty's Commission, and recommended that an authority should be obtained to sell and lease, grant and dispose of, five hundred thousand acres, for the purpose of establishing an University in this province.

The Report of the Executive Committee of 1819, to which Sir John Colborne referred, is as follows :—

TO HIS EXCELLENCY SIR PEREGRINE MAITLAND, K.C.B., LIEUTENANT-GOVERNOR OF UPPER CANADA.

MAY IT PLEASE YOUR EXCELLENCY,

The Committee of the Executive Council to whom your Excellency was pleased to refer the consideration of a plan for establishing a University in this Province, assembled this day, and by Your Excellency's permission requested the attendance and assistance of His Majesty's Attorney General, the Honourable John Beverly Robinson.

A letter was read from His Grace the Duke of Portland to Lieutenant-Governor Simcoe, bearing date the 22nd June, 1796, acknowledging the receipt of a letter from the Bishop of Quebec upon the subject of a School of a higher class, which His Grace then did not think necessary in Upper Canada.

A letter was also read from His Grace bearing date, 4th of November, 1797, acknowledging an Address from the two Houses of the Legislature, dated 3rd of July, 1797, requesting an appropriation of Crown Lands for the establishment of Schools, and communicating His Majesty's pleasure to acquiesce in their petition—directing the Governor to consult the Members of the Executive Council, Judges and Law Officers, on the requisite means,—to report to His Grace, for His Majesty's information, what Schools were then necessary, the means of erecting and endowing them, the amount necessary, and also to erect and endow a University.

On this letter, the Committee named by President Russell reported four Schools to be necessary, a sum of three thousand pounds (£3,000) requisite to erect them, and an annual sum of one hundred and eighty pounds (£180) to pay a Master and sub-master, and keeping the building in repair, and the sum of three thousand six hundred and twenty pounds (£3,620) for a University.

That a fund to raise this sum would require five hundred thousand acres of land, which was recommended to be set apart for such purpose, and the report approved by the President was directed to be transmitted for the information of His Majesty's Government.

No answer to this Report, or farther confirmation of it, can be traced in the Office of the Executive Council.\*

The Committee, therefore, concurring in opinion with Mr. Robinson, His Majesty's Attorney-General that the appropriation of that quantity of land is not sufficiently sanctioned to authorize a grant in other portions than limited by His Majesty's Commissioner, humbly recommend that Your Excellency do call the attention of His Majesty's Government to a formal sanction, under the Royal Sign Manual, or the signature of His Majesty's principal Secretary of State for the Colonies, to sell, lease, grant, and dispose of the said five hundred thousand acres of land, for the purpose of establishing a University in this Province.

In the meantime, in conformity to Your Excellency's pleasure, the Committee proceeded to consider the detail required by Your Excellency.

In pursuing this object, the Committee first observe, that provision for District Schools is not now required out of this fund, being made by the Legislature.

The scale established by the former Committee of 1798 appears at present very inadequate. The Committee is of the opinion that a sum not less than ten thousand pounds (\$10,000) will be required to erect a suitable building and provide a library, philosophical apparatus and a botanic garden.

That an annual sum of four thousand pounds (£4,000) may be deemed necessary to defray the salaries of principal, professors, preceptors, scholarships, librarian, gardener and other officers with other contingencies.

That to raise these sums it will be proper that a sale of land should be made from time to time to meet, with security, the exigencies of the establishment, until the revenue will supply the annual expenditure.

\*The Duke of Portland's reference to this Report will be found on page 23, *ante*.

That a Commission should permanently attend, with large powers, to sell and lease the land, and manage its revenues, under the direction of the Executive Government.

It is also considered that it would conduce much to the importance and utility of the projected University if its constitution should be by a Royal charter.

All which is humbly submitted.

By order,

WM. DUMMER POWELL, C.J.,

Presiding Councillor.

EXECUTIVE COUNCIL CHAMBER,  
YORK, 7th January, 1819.

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## HISTORICAL RESUMÉ OF UNIVERSITY AND GRAMMAR SCHOOL PROCEEDINGS, BY DR. STRACHAN.

The Right Reverend Bishop Strachan, in a speech delivered at the laying of the Corner Stone of King's College, on the 23rd of April, 1842, thus referred the early proceedings of the Legislature in the matter of University representation and the establishment of Grammar Schools.

This prospect, however [that of founding the projected University of Upper Canada] was so distant that the Legislature began to feel it necessary—limited as were the funds at their disposal—to do something effectual towards the promotion of Education. A law was accordingly passed in 1807, establishing a Grammar School in every District, in which the classics and mathematics were to be taught; and thus a commencement of education was made of great importance to the country. Had the revenue of the Province permitted, or had the lands become sufficiently available, so good a spirit prevailed that the University would have been commenced at the same time. But this not being the case, the Legislature wisely determined in favour of District (Grammar) Schools, as more generally useful in the then state of the Province than a higher Seminary, because at these Schools such an education might be obtained as would qualify young men for the different professions. Moreover, such Schools would become excellent nurseries for the University, when it was necessary to establish it.

The advantages anticipated from the establishment of the District Schools have been more than realized, and the wisdom of the Legislature fully justified in preferring them to Seminaries of higher name; for during the period of thirty-five years [from 1807 to 1842] in which they have been in operation, they have sent forth hundreds of our youth, many of whom are now eminent in their professions, and would do credit by their talents and acquirements to any literary institution.

Though necessarily delayed, the prospect of establishing a University was not lost sight of, for in 1819-20, when a law was projected to increase the representation in the Commons' House of Assembly it was among other things provided, that whenever the University was established, it should be represented by one member. (Pages 35 and 36 of the Proceedings, 1842).

This proposal to have the University, when founded, represented in the House of Assembly originated in 1819 with the then Lieutenant-Governor, Sir Peregrine Maitland. He had early in the year called the attention of his Executive Council to the desirability of considering "a plan for establishing a University in this Province," in terms of the Duke of Portland's despatch of the 4th of November, 1797, (*See* page 17 *ante*). The Council reported the result of their deliberations on the scheme on the 7th of January, 1819, (*See* page 151). On the 22nd of June, 1819, Sir Peregrine Maitland sent a message to each of the Houses of the Legislature, in which he said:

The Lieutenant-Governor . . . . . submits the propriety of providing for a distinct representation of the contemplated University, when founded, in conformity to the established practice in the Mother Country.



Both Houses concurred in this suggestion of the Lieutenant-Governor, and practically agreed upon a Bill to carry it out. They had agreed upon a Conference in 1819 on the subject, but before the Conference could be held, the Legislature was prorogued, so that the Bill never reached maturity. However, in 1820, a Bill, providing for increased representation of the Commons in the House of Assembly was passed, in which provision was made for University representation in the Assembly when even one would be established in Upper Canada. This Bill was repealed by the Imperial Act of Union of the Canadas in 1840.

## CHAPTER XXXIII.

### HISTORY AND PRESENT STATE OF EDUCATION IN UPPER CANADA, 1819.

In the *Christian Recorder* for April, 1819, appeared the following article, or essay, on the *History and Present State of Education in Upper Canada*. This periodical was at that time edited by the late Bishop Strachan. The "History" was written by a contributor, who was evidently well versed in the subject on which he wrote, and is correct in its historical references. In the following July number of the *Recorder*, appeared a review of the article, and of the whole subject of University Education, written by Bishop Strachan himself. These two articles are, therefore, invested with special interest—the one as containing a carefully prepared historical sketch of what had been done in the matter of Education in Upper Canada from 1789 to 1819—a period of thirty years; the other, as containing the views on the subject of higher education by Dr. Strachan, himself a graduate of a Scottish University, and a man who had had a large experience in school matters from 1800 to 1823.\*

The introductory part of the following *History of Education in Upper Canada* is substantially given by the Rev. Dr. Strachan himself, in his speech at the laying of the Corner Stone of King's College in 1842. He said :

It is pleasing to remark that in 1789—a little more than five years after the first settlement in Upper Canada of those faithful subjects of the Crown who had, during the Revolutionary War adhered to their King and to the unity of the Empire, they presented a Memorial in accordance with the same noble principles to His Excellency Lord Dorchester, then Governor-General of British North America, on the subject of Education; in which—after lamenting the state of their children growing up without any instruction, religious or secular—they request His Lordship to establish a respectable Seminary at Kingston, which was at that early period, the principal Town in this division of the Colony. To this representation Lord Dorchester paid immediate attention, and gave directions to the Surveyor-General to set apart eligible portions of land for the future support of Schools in all settlements. Those lands, however, remained unproductive; the settlers were few in number and thinly scattered . . . (and soon afterwards) the Province of Quebec was divided into Upper and Lower Canada, etc. (Page 33 of Proceedings).

\*The review of the *History of Education in Upper Canada*, which appears in the July number of the *Recorder* is stated by the Rev. Dr. Scadding, in his *First Bishop of Toronto: a Review and Study*, to be by its Editor, the Rev. Dr. Strachan (Pages 10, 50 and 51).

The following is the article on the *History of Education in Upper Canada*, taken from the *Christian Recorder* of April, 1819:

Early in 1789, the late Honourable Richard Cartwright, one of the greatest benefactors of the Province, and an ornament to human nature, addressed a Memorial to Lord Dorchester, the Commander-in-Chief, through Mr. John Collins, Deputy Surveyor-General, suggesting the means of providing for the establishment of a decent Seminary of Education for Kingston and settlement, by appropriating some of the Islands in the neighbourhood for this purpose. The memorial states that a future, not a present advantage was expected from such an appropriation; but as the settlements were now formed and getting compact, the education of youth became an object of such importance, as to merit the particular attention of His Majesty's Government.

Lord Dorchester who seems to have been, at all times, anxious for the good of the Colony, was not tardy in noticing this representation, and called the attention of the Magistrates and respectable inhabitants to the great importance of effecting a competent establishment of Clergymen and Schoolmasters in the settlement of Mecklenburgh, now the Midland District. As a preliminary step, he urged the expediency of cultivating the Glebes, and erecting houses for the accommodation of the Schools and Teachers; but soon after this, and before His Lordship had time to take any further measures towards the religious and moral instruction of the people, to which he seemed very much inclined the 31st of King George III. was enacted, dividing the Province of Quebec into Lower and Upper Canada.

On the arrival of General Simcoe, the Lieutenant-Governor of the new Province of Upper Canada, there was too much to do for some years in extending the settlements, exploring the country and organizing the different departments necessary for conducting the affairs of Government to think of educating the people; but, on reducing these things to some regularity and order, the Lieutenant-Governor turned his attention to religion and education, and anxiously revolved in his comprehensive mind the most effectual steps for diffusing useful instruction among the settlers.

Nor was the Government at home, which was ever anxious to promote the prosperity of this Province, inattentive to the education of the people. In a letter of His Grace, the Duke of Portland, in response to one from General Simcoe, in 1796, he called the attention of the Lieutenant-Governor to the establishment of schools. The General, a man of science and literature, and a great friend to religion, was most anxiously employed in discovering the means of complying with His Majesty's commands, when the matter was taken up by the Provincial Legislature in the Session of 1797. This body presented a memorial to General Simcoe, most humbly imploring His Majesty that he would be graciously pleased to direct his Government of this Province to appropriate a certain portion of the waste lands of the Crown as a fund for the establishment and support of a respectable Grammar School in each District thereof, and also a College or University for the instruction of youth in the different branches of liberal knowledge. (See page 16, *ante*.)

A prompt notice was taken of this representation; for, in November, 1797, His Grace, the Duke of Portland, then one of the principal Secretaries of State, mentions His Majesty's readiness to show his parental regard for the welfare of his subjects in the furtherance of so important an object as the instruction of youth, and to assist and encourage the exertions of his Province in promoting sound learning and a religious education. His Grace informs the Legislature that

"His Majesty has condescended to express His gracious intention to comply with the wishes of the Legislature of Upper Canada by the establishment of free Grammar Schools in those Districts in which they are called for, and, in due process of time, other seminaries of a larger and more comprehensive nature for the promotion of religious and moral learning." (See page 17, *ante*.)

In order to carry the Royal intentions most beneficially into effect, a detailed report of the best method of promoting the general education of the youth of the Province was called for from the members of the Executive Council, the Judges of the King's Bench, and Law Officers of the Crown. These gentlemen drew up a most able and elaborate report on this interesting subject (see pages 17-25, *ante*), summing up the whole in ten important resolutions, among which they represent the propriety of erecting four Grammar Schools, at an expense of £3,000 each, and an annual sum of £180 for the salaries of the master, undermaster and repairs, and likewise a University, to be established on a most liberal footing at York, the Seat of Government, as soon as the circumstances of the Province require it; for all which a large appropriation of the waste lands of the Crown was humbly recommended.



Owing to the small value of land when this appropriation was made, and the trifling sum paid for the Townships of Dereham and Norwich, it was found that the money required would far exceed what could be expected from the sale of the whole reservation. (Page 27, *ante*.) The measure was necessarily postponed, and the gratuitous gifts of lands by the Government still continuing to be made, nothing has been yet done, for no person who is able and industrious can fail of making a good subsistence on his grant and, therefore, is unwilling to lease or purchase. But now matters begin to assume a different appearance, for the general prosperity of the Province has much increased, and the reservations having been made long ago, the growing settlements are getting in their rear; consequently they begin, from the convenience of their situation, to become desirable. We have, therefore, every reason to believe that with a little attention they may be made productive, and be able in a short time to support such a respectable seminary as the Province seems to require.

In 1779 the Honourable Richard Cartwright and the Honourable Robert Hamilton, having large families of young children, and having been promised by General Simcoe that on procuring a person well qualified for that purpose, sent to Scotland for a gentleman of that description. Doctor Hamilton, the Minister of Gladsmuir, near Haddington, was intrusted with the business, who applied to his friend, Doctor Trotter, of St. Andrews, to procure him such a person as he wanted, mentioning the great encouragement likely to be given, and the extensive field which a new country like Upper Canada opened to enterprising young men. There is reason to believe that the situation was first offered by Dr. Trotter to Doctor Chalmers, now so justly celebrated, such was the conception then had of its importance, and on his declining it was offered to his friend, Mr. Strachan, then a student at St. Andrew's. On this latter gentleman's arrival at Kingston, he discovered that no salary from Government was to be looked for.

This grievous disappointment would have induced him to return to his native land, as he had come out expressly for the purpose of superintending an academy under the special patronage of Government, and not a private school; but the kindness and liberality of Mr. Cartwright prevented him from taking this step, and he remained in that gentleman's family as tutor nearly four years.

In 1803 Mr. Strachan received Holy Orders, and removed to Cornwall, to which place he likewise transferred his school, being the only seminary at that time in the Province where the classics and mathematics were regularly taught. This school attaining some celebrity, young men came to it from all parts of both Provinces, and nothing was wanting to complete such a system of education as the exigencies of the country then required, except a small Philosophical apparatus to illustrate lectures on Physical Science. This appendage was very soon obtained, for the Legislature, in 1805, voted £400 to purchase the more necessary instruments, and on their arrival the Lieutenant-Governor placed them in the hands of Mr. Strachan, by whom lectures on Natural Philosophy have since that period been delivered to his scholars, whenever a class could be assembled sufficiently advanced to render it beneficial.

On Mr. Strachan's removal to Cornwall the Honourable Robert Hamilton, anxious to keep his children near him, sent to Scotland for a tutor that they might finish their education at home. His friends were fortunate in procuring Mr. James Mitchell to undertake this office, a gentleman of ability and learning, who continued with Mr. Hamilton till he had completed the young gentlemen's education, when he succeeded to the District School of London, where he still resides.\*

About the same period or, perhaps, a little sooner, an excellent mathematical school was opened at Niagara, by Richard Cockrel, Esq., who is said to be well versed in mathematical science. This gentleman still remains in the Province, but has withdrawn himself from the education of youth.

In 1807 a law was enacted establishing a school in every District in which classics and practical mathematics were expected to be taught. The Lieutenant-Governor is empowered to appoint Trustees for each school, who have authority to nominate a fit and discreet person teacher thereof, with a salary of £100, Halifax currency, per annum. The nomination of the Trustees requires the sanction of the Governor to render it valid; but they have full power to remove the teacher for any misdemeanor or impropriety of conduct. They have likewise full power and authority to make such rules and regulations for the good government and management of the schools, with respect to both teacher and scholars as, in their discretion shall seem meet. The law was at first limited to four years, but in the Session of 1803 it was rendered perpetual. On the passing of this law there was some difference of opinion. Many were desirous of establishing Common Schools throughout the Province, and others were for the establishment of a University. Had the revenue of the Province admitted, or had the lands appropriated for the purposes of education become sufficiently productive, all parties might

\*Afterwards Judge of the County Court. His wife was the Rev. Dr. Ryerson's sister. Dr. Ryerson refers very kindly to Judge Mitchell in the "Story" of his Life, page 24.



have been gratified ; because the University, as well as the Common Schools, might have been established when the District Schools were put in operation ; but, as the sum in the power of the Legislature to grant would have been of no use divided among all the townships—scarcely five pounds each—and as the low state of education throughout the Province rendered a University totally useless—for it could have had no students—District Schools were the only alternative. Had circumstances been otherwise, and a choice in the power of the Legislature, the situation of the Province would have suggested, at that time, District in preference to Common Schools or a University. They were calculated to give such an education as qualified young men for the different professions, and to become excellent nurseries for the University, when it could be established.

These advantages have been reaped, and the Legislature justified in its conduct. No University has been yet founded, but many of the young gentlemen taught at the different District Schools are now eminent in their professions, and would do credit, by their talents and integrity, to seminaries of greater name.

On the passing of this law in 1807, Schools were established in each District ; that at Kingston, under the direction of Mr. John Whitelaw, was exceedingly prosperous, and still proceeds with increasing reputation under his successors. The School at Cornwall, deprived of all the pupils from the westward, who were properly retained at their own District Schools, kept up, and even increased its numbers from Lower Canada. At present, the District Schools are as flourishing as any public institutions can be expected to be ; some complaints have, indeed, been made, but they are of a partial nature, and do not militate against the principle of the law. In one or two Districts, it must be confessed, that all the good which might have been anticipated has not been produced, and these supply the complainants with their arguments against the Bill ; but the fault arose from the jealousy which at that time pervaded the House of Assembly. The members demanded that what was given to one District should be given to all, whether necessary or not. This appeared unreasonable to the promoters of the District School Bill, who were desirous of confining themselves to the four Schools recommended in the report of the Committee of the Members of the Executive Council, the Judges and Crown Officers, in 1798, already noticed, viz., Cornwall, Kingston, Niagara and Sandwich, to which York, now grown into importance, was added. The other Districts were to be indulged with the same privilege, whenever the Magistrates in Quarter Sessions declared that a sufficient number of scholars might be obtained to make the School beneficial, but to this the majority would not assent, and accordingly the Bill included all the Districts without distinction. Should well-founded complaints still exist, the fault must be in those appointed to put the law in force. The Trustees have full power to dismiss the Teacher if negligent and careless of his duty ; and, if a school of this advanced description be as yet unnecessary, they may postpone the appointment of another Teacher, till the great increase of population render it useful. Though the Legislature acted wisely in establishing District Schools, as being most beneficial to the public, yet that body never lost sight of the propriety of extending the benefits of instruction to the lower orders throughout the Province. Finding the revenue greatly increased in 1816, a law was passed, (containing many excellent provisions), for establishing and supporting Common Schools in every village or township in the Province. This Bill was very much hurt by the insertion of a clause that there should be a School in every town, village or place where twenty scholars could be collected. These loose words admit of a latitude of interpretation which could not have been intended, and multiply Schools to an extent which it would require three times the Provincial revenue to support. If we suppose the Province to contain 120,000 souls, and one-sixth of these, 20,000, children going to school, this number, at the rate of £25 (or 100 dollars) per annum for every school of twenty scholars, would amount to £25,000 per annum. This evil may be cured by giving one school to each township, and no more, provided there be at least forty inhabitants freemen. Are the townships large, then let the schools itinerate. This arrangement will save half the present appropriation, and render £3,000 a year more productive of good than the £3,000 has hitherto been.

In 1815, a law was passed incorporating a Society in the Midland District, to be named the School Society of that portion of the Province, principally for the purpose of establishing a School on the principles of Bell and Lancaster. The Society has built a good School House, and taken much pains to bring their object to perfection ; but, owing to causes over which the members had no control, the School, though useful, has failed in producing all the good that might have been expected.

A modification of the whole system of education, embracing the Common and District Schools, and a College at York, the Seat of Government, was introduced by His Honour the Chief Justice into the Legislative Council in 1817. In this scheme there was a judicious gradation. A way was opened for the most promising boys to rise from the Common to the District Schools and from these to the College, by which the means of obtaining a liberal education was offered to the youth of the whole Province, and such assistance given to a few distinguished

young men as would enable them to proceed without becoming a burden to their friends. This project failed in the House of Assembly from an unwillingness to disturb the Common School Bill, which had been only one year in operation ; but, as the law expires next year, some alterations may be expected to take place on reviving it, which may render it more liberal and efficient, and, at the same time, be accompanied with a very considerable diminution of expense.

In aid of what the wisdom of the Legislature may continue to bestow upon the education of youth, something may soon be looked for from the reservation of the waste lands of the Crown.

It is indeed, rumoured that a University is going to be immediately established, depending upon these lands for its support and future extension. The character of the present Lieutenant-Governor, Sir Peregrine Maitland, who has nothing more anxiously at heart than the promotion of religion and education throughout the Province, gives currency to this rumour.

The plan, said to be in agitation, is to establish, as soon as practicable, a College at the Seat of Government, to consist from the first of a Principal, or President, and three Professors ; these gentlemen to give two or three Courses of Lectures, if necessary, to different classes during the season, from some of which courses they will be relieved as soon as the funds admit the establishment of additional Professors. Two Scholarships are to be attached to each District, by which, at the end of every two years, the best scholar at the District School has an opportunity of obtaining a scholarship at College, which will maintain him four years ; the number of Scholarships attached to each District to be increased till they amount to four, or even more, if the revenues of the University allow it. In this manner would the door to a liberal education be opened to the poorer inhabitants, and we might live to see the children of the farmer and mechanic filling the highest offices in the Colony, to which they had arisen by their superior talents, fostered by the benevolent institutions of their country.

The liberal Professions now require such an establishment. The Bar employs a very considerable number of practitioners, many of whom have had the necessary opportunities for preparing themselves for that important Profession. The Church, likewise, requires a long course of study, which cannot without much difficulty be obtained.

The necessity for sending young men out of the Province to finish their education ought to be removed ; for the specimens that have been tried have disappointed the just expectations of their friends. Few can support the great expense of sending their children to Great Britain, and parental anxiety reluctantly trusts them at such a distance from its care, observation and control. If they are sent to the United States, there is much reason to fear that they will return with sentiments unfriendly to our different establishments, as the whole system of education, even to primary school books, in that country is pervaded with pernicious politics, breathing hatred to our parent State.

There is no subject more important to the true prosperity of the Province than the careful education of its youth ; for it is only by a well instructed population that we can expect to preserve our excellent Constitution and our connection with the British Empire, or give that respectability to the country which arises from an intelligent Magistracy, and from public situations filled with men of ability and information.

The more difficult steps have been already taken, and the inhabitants, getting alive to the great advantage of educating their children, have in most places seconded the exertions of the Legislature with a laudable zeal. What has been already done is highly creditable to the country, and, though much yet remains to be effected, there are no serious impediments in the way which a little time and attention will not easily remove ; the most important improvement in contemplation, the founding of a University at the Seat of Government, may very soon take place, and will be of incalculable benefit to the Province.

The present state of education consists of eight District Schools, at which upwards of 220 boys are now taught the higher branches of education, the classics, mathematics, etc. The Common Schools, in which upwards of 3,500 children are instructed, besides a great number of schools of a similar description, to which the bounty of Government cannot be extended. Sunday Schools are likewise getting numerous, and religious instruction appears to be more sought after than formerly. In this respect also, the Common Schools will soon produce a very beneficial alteration, as may be seen from the rules to teachers, published by the Board of Education for Niagara, and the Home District, and which we subjoin as a proper conclusion to this Article.

#### SUGGESTED RULES FOR SCHOOLS AND TEACHERS.

1. The Master to commence the labours of the day with a short prayer.
2. School to commence each day at 9 o'clock of the forenoon, and five hours at least to be taught during the day, except on Saturday.
3. Diligence and emulation to be cherished and encouraged by rewards judiciously distributed, to consist of little pictures and books, according to the age of the scholar.



4. Cleanliness and good order to be indispensable, corporal punishment seldom necessary, except for bad habits learned at home, lying, disobedience, obstinacy, perverseness; these sometimes require chastisement, but gentleness even in these cases would do better with most children.

5. All other offences in children, arising chiefly from liveliness and inattention, are better corrected by shame, such as gaudy caps, placing the culprits by themselves, not admitting any to play with them for a day or days, detaining them after school hours, or during play afternoon and by ridicule.

6. The Master must keep a regular catalogue of his scholars, and mark every day they are absent.

7. The forenoon of Wednesday and of Saturday to be set apart for religious instruction to render it agreeable, the school should be furnished with at least ten copies of Barrow's Questions on the New Testament, and the teacher to have one copy of the key to these questions for his own use, the teacher should likewise have a copy of Murray's 'Power of Religion on the Mind' 'Watkin's Scripture Biography' and Blair's Class Book, the Saturday lessons of which are well calculated to impress religious feeling.

These books are confined to no religious denomination, and do not prevent the master from teaching such Catechism as the parents of the children may adopt.

8. Every day to close with reading publicly a few verses from the New Testament, proceeding regularly through the Gospels.

#### THE REV. DR. STRACHAN'S REMARKS ON THE FOREGOING HISTORY OF EDUCATION.

Under the *nom de plume* of "*The Confessor*," Rev. Dr. Strachan wrote the following explanatory criticism, on the foregoing "History of Education in Upper Canada" in the *Christian Recorder* for July, 1819. It is rather a review of the whole question, than a criticism, but with explanatory statements and illustration as to value of a University to those who desire to study for the learned professions. Both papers are valuable, from the fact that they reflect the opinions of intelligent men of the day on the then unsolved problem of university education in Upper Canada.

You mention, in your second number, that a University is about to be established in this Province. I hope that it will be founded upon a very liberal scale, so that all denominations of Christians may be enabled without any sacrifice of conscience or of feeling, to attend the prelections of the different Professors. It has been said that the Province is too young to support an establishment of this kind, and, were it in contemplation to commence on such an extensive plan at that of the English, or even some of the Scotch Universities, it might, in some measure be true. But it is very easy to begin with a President or, Rector, and a few teachers, making provision for increasing their number, as the increase of students may require. Nor should it be forgotten that the rapid influx of emigrants into the Province, together with the natural increase of the inhabitants, will now furnish a good number of young men. And although many people may choose rather to bring up their children as farmers, because they can, with even a little industry, acquire for themselves the comforts of life and in their turn provide an excellent inheritance for their children, yet many will be found anxious to educate their sons for the learned professions. Besides, a greater number of gentlemen will, for some time, be required for these professions, than is commonly supposed.

Forty clergymen, for example, may now meet with full employment in this Province, and render themselves of great service to the temporal as well as to the eternal interests of the people. If they were of conciliatory disposition, and more disposed to promote vital Christianity, than to enforce such forms as are, at first, new to the settlers and not accordant with their manners and feelings, they would be of an infinite benefit indeed; one in each of the settled Townships, of this description, would give a new appearance to the country, for the appointment of clergymen to instruct the people in the doctrines of revelation and duties of morality, is so eminently wise, as to be considered by many a strong proof of the divine origin of that blessed religion by which it is adopted.

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\*There is no internal evidence in this article itself that it was written by the Rev. Dr. Strachan. The Rev. Dr. Scadding however in his *First Bishop of Toronto, a Review and a Study*, quotes from it two or three times, and in each case ascribes it to "the Editor," whom, he states was Dr. Strachan. Speaking of the publication itself, Dr. Scadding says, (page 10): The two volumes of the *Christian Recorder* "possess an interest, as being edited, and, in great part, written by the late Bishop of Toronto, while a Presbyter doing duty at York."

The articles written by "The Confessor" were signed "N. N.," the two last letters of the Bishop's name.



Now it would take a University some time, were it already in active operation, to furnish the number wanted, and the new settlements are extending so fast in all directions that, before the old townships can be supplied, as many new ones will be destitute. Were it possible after the first four years are elapsed to furnish twelve clergymen, an age must have passed away before each township could be supplied. It ought likewise to be remembered that it is of the greatest consequence that the Ministers of the Gospel should be men of learning and ability, and, in order to qualify them for the great work to which they are appointed, competent opportunities must be given them. These they do not at present sufficiently possess, for although the very few that have been brought forward to the ministry need not fear a comparison with any persons of their age in the Mother Country, it has arisen from the circumstance that they were rather the companions than the pupils of their tutors who was able the progress of their reason as well as the strength of their resolutions and lead them, step by step along the path of virtue, as well as knowledge. But this method of instructing chiefly by conversation must be confined within very narrow limits, and cannot be so extended as to meet the growing wants of this extensive Province. In the University the business of instruction is divided, and each Professor became better qualified for his particular department. The student may have acquired, in private, a competent knowledge of English and classical literature. He may have read the best divines, he may have imbibed in his conduct many of the most amiable graces of our holy religion, and become a useful, learned and conscientious Pastor, but then, almost every pupil would require his own special instructor, and even then he would remain ignorant of some branches of knowledge highly useful in enlarging the views and ripening the understanding.

At the University the study of the scriptures in the original language and the comparison of this original with our English translation would employ a considerable portion of his time, collecting parallel passages of scripture, arranging and comparing the Prophecies with the history of their accomplishment, examining the proofs which establish our Holy religion, reflecting upon the sublime doctrines and beautiful precepts, so as to be able to give a reason for the faith that is in us, would engross many hours of valuable study. In a large seminary these may be relieved by turning to the Book of Nature and reading the perfections of the Divinity in the beauty and sublimity of His Works. For these purposes the young divine may examine the heavenly bodies, their astonishing regularity and order, and admiring the perfection of Astronomy, which, in as far as regards the Solar System, may now be said to be complete, as there is not a single motion that has not been accounted for and found necessary to preserve the wonderful harmony of the whole, he may draw the most comfortable proofs of the wisdom and goodness of God. Here likewise the student of Nature might make himself master of Chemistry, of Botany and Anatomy, all of which he would afterwards find useful in his profession, not only in confirming his faith, but in the variety of illustration which they afford him in preaching to the people. It is not generally known that there are now thirty Barristers in this Province, some of them men of talents and information, others less efficient from the want of good opportunities, but, when a University is established, a greater strictness will be observed in admitting young men to the Bar, more preparation will be deemed necessary and the Law Society will, as they do in England, dispense with two out of the five years now demanded, provided that they be spent in attending certain classes in the College.

In this county, the practice of Physic, from the badness of the roads and the poverty of the people, has not been attractive, but matters are changing—the settlers are becoming wealthy and able to pay for advice and attendance during sickness. Indeed, no person can at present study Physic or Surgery in this Province, for there are no regular sources of information. It is true a Surgeon or a Physician may take apprentices and reduce their liberal professions to a kind of trade, which may be taught by rote in a certain number of years; but, without Lectures on the various branches of the Medical Art, they never can attain to any proficiency.

The number of Students likely to attend College will not be confined to the three professions. Young men intended for Merchants or who have the certainty of inheriting great landed estates will be no less desirous of becoming acquainted with the different branches of liberal knowledge. Add to this the great benefit arising to the Province from the conviction which every one must feel after the establishment of a University that, in removing to Canada, he is not taking his children to a wilderness which affords no opportunities for ameliorating their condition, but to a country possessing equal advantages in religion and education with that which he leaves.

From a variety of considerations I am confident that in a very few years the Students attending such a seminary would exceed one hundred. I will, with your permission, trouble you again on this subject which I consider all important, in the meantime for the comfort of those who do not feel the want of knowledge, but who are engrossed by profit. I have to remark that the foundation of a University at York, open to all denominations, will add 20 per cent. to all the lands in the Province, by offering an advantage to emigrants which they can nowhere else enjoy. N. N.

## CHAPTER XXXIV.

## MISCELLANEOUS PAPERS RELATING TO EDUCATION, 1819.

## EXAMINATION OF THE HOME DISTRICT (GRAMMAR) SCHOOL, 1819.

The *Christian Recorder* for August, 1819, states that :—

By a law passed during the last Session of the Provincial Parliament, (1819), it is enacted that previous to the annual vacation, a Public Examination of the scholars of each District School shall take place under the direction of the Trustee. This has always been the practice at the school of the Home District, and has been attended with beneficial effects. The number of scholars is now so great that it was found expedient to take two days. We have procured a copy of the Order of Examination, together with the Prologue and Epilogue, and an Ode in honour of the founders of the colleges soon expected to be built and endowed at York and Montreal.

The Examination of 1819, in his *Toronto of Old*, is thus referred to by Dr. Scadding :—

Notwithstanding the greater glory of the School at Cornwall, the lists of the Home District School under Dr. Strachan at York always presented a strong array of the well known, and even distinguished Upper Canadian names. This will be seen by a perusal of the following [programme of examination of the Home District School] which will also give an idea of the variety of matters to which attention was given in the school. The numerous family names will at once be recognized, especially that of the distinguished Robert Baldwin, who commenced the exercises of the day by the Prologue on our Indian Empire, the now Venerable Archdeacon McMurray, of Niagara, the late Canon Saltern Givens, the Boultons, the Ridouts, the Heward, the McDonells, the Strachans, the Baldwins, etc., etc.

*Order of examination of the Home District Grammar School at York, Wednesday, 11th August, 1819.* First Day. The Latin and Greek Classes Euclid and Trigonometry. Thursday, 12th August. Second Day. To commence at 10 o'clock. Prologue, by Robert Baldwin.—Reading Class.—George Strauchan, The Excellence of the Bible. Thomas Ridout, The Man of Ross. James McDonell, Liberty and Slavery. St. George Baldwin, The Sword. William McMurray, Soliloquy on Sleep. Arithmetic Class.—James Smith, The Sporting Clergyman. William Boulton, Jun., The Poet's New Year's Gift. Richard Oakes, Ode to Apollo. Orville Cassell, The Rose. Bookkeeping.—William Myers, My Mother. Francis Heward, My Father. George Dawson, Lapland.—First Grammar Class.—Second Grammar Class.—Debate on the Slave Trade. For the Abolition: Francis Ridout, John Fitzgerald, William Allan, George Boulton, Henry Heward, William Baldwin, John Ridout, John Doyle, James Doyle. Against the Abolition: Abraham Nelles, James Baby, James Doyle, Charles Heward, Allan McDonell, James Myers, Charles Ridout, William Boulton, Walker Smith.—First Geography Class.—Second Geography Class.—James Dawson, The Boy that Told Lies. James Bigelow, the Vagrant. Thomas Glasco, The Paris Workhouse. Edward Glennon, The Apothecary, Natural History. Debate by the Young Boys. Sir William Strickland, Charles Heward. Lord Morpeth, John Owens. Lord Harvey, John Ridout. Mr. Plomer, Raymond Baby. Sir William Yonge, John Fitzgerald. Sir William Windham. John Boulton. Mr. Henry Pelham, Henry Heward. Mr. Bernard, George Strauchan. Mr. Noel, William Baldwin. Mr. Shippen, James Baby. Sir Robert Walpole, Saltern Givens and J. Doyle. Mr. Horace Walpole, James Myers. Mr. Pulteney, Charles Baby.—Civil History.—William Boulton, The Patriot. Francis Ridout, The Grave of Sir John Moore. S. Givins, Great Britain. John Boulton, Eulogy on Mr. Pitt. Warren Claus, The Indian Warrior. Charles Heward, The Soldier's Dream. William Boulton, The Heroes of Waterloo.—Catechism.—Debate on the College at Calcutta. Speakers: Mr. Canning, Robert Baldwin, Sir Francis Baring, John Doyle, Mr. Waingright, Mark Burnham. Mr. Thornton, John Knot. Sir D. Scott, William Boulton. Lord Eldon, Warren Claus, Sir Samuel Lawrence, Allan Macaulay. Lord Hawkesbury, Abraham Nelles. Lord Bathurst, James McGill Strachan. Sir Thomas Metcalf, Walker Smith. Lord Teignmouth, Horace Ridout.—Religious Questions and Lectures.—James McGill Strachan, Anniversary of the York and Montreal Colleges anticipated for 1st of January, 1822. Epilogue, by Horace Ridout.



Mr. J. Ross Robertson, in his history of *The Old Blue School*, thus refers to the effect and character of these examinations:—

These public examinations were red letter days with the parents of York, and the paternal and maternal sides of the house were duly represented. Sir Peregrine Maitland and Staff, seated on a slightly raised dais, covered with cloth of crimson hue, were usually interested spectators in the proceedings. To make the occasion more joyous than the ordinary dismissal to Christmas, the midsummer vacation day was celebrated by a lunch or *dejeuner*.

The central figure at the opening was young Robert Baldwin, whose name and memory to-day are green in the hearts of all Canadians. His verse travelled over the whole range of European history, and lauded the work of Warren Hastings in India, the “*Asiatic Researches*” of Sir William Jones, the English Orientalist, the founding of Calcutta College by the Great Duke, then Marquis of Wellesley, the advantage of a similiar institution in Canada, was suggested by the lines :

“Yet much remains for some aspiring son  
Whose liberal soul from that desires renown,  
Which gains for Wellesley a lasting crown ;  
Some general structure in these wilds to rear,  
Where every art and science may appear.”

Perhaps the day-dream in Baldwin's fertile brain was the erection of Upper Canada College and King's College in the early future, and then with a few lines which must have warmed the heart of the distinguished visitor, he adds :—

“O, Maitland best ! this proud distinction woo  
Thy quick acceptance, back'd by every muse ;  
Those feelings, too, which joyful fancy knew  
When learning's gems first opened to thy view,  
Bid you to thousands smooth the thorny road,  
Which leads to glorious Science's bright abode.”

The Epilogue was pronounced by Horace Ridout. An extract from this ebullition, which was a mixture of machine poetry and doggerel, will suffice. The reciter is supposed to be a pupil, who complains of the conduct of the Master :—

“Between ourselves, and just to speak my mind,  
In English Grammar, Master's much behind ;  
I speak the honest truth—I hate to dash—  
He bounds our task by Murray, Lowth and Ashe,  
I told him once that Abercrombie, moved  
By genius deep, had Murray's plan improved.  
He frowned upon me, turning up his nose,  
And said the man had ta'en a maddening dose.  
Once in my theme I put the word progress—  
He sentenced twenty lines, without redress :  
Again for ‘Measure’ I transcribed ‘endeavour.’  
And all the live-long day I lost his favour.”

#### ADDRESS FROM THE PRESBYTERY OF THE CANADAS TO SIR PEREGRINE MAITLAND.

Early in 1819 the following Address was presented to Lieutenant-Governor Maitland by the Presbytery of the Canadas, assembled at Brockville, on Wednesday the 13th day of January, 1819 :—

As it is not the extent of territory that renders a country prosperous ; but the number of its subjects, their industrious habits, their correct morals, their superior comforts and their intellectual eminence. The voice of history attests that these important objects have been promoted in proportion as pure religion has prevailed. It is under the impression of sentiments of this nature, that we have witnessed with much satisfaction the encouragements afforded by the Provincial Parliament for the support and erection of Public Schools. And we look forward with pleasing anticipation to the period when, under the auspicious rule of your Excellency, a college shall spring from these seminaries of learning and our youth in the bosom of the Province, be qualified for all the offices of civil and ecclesiastical life.



## EARLY SCHOOL DAYS IN ALDBOROUGH, TALBOT SETTLEMENT, 1816-1820, ETC.

Mr. Archibald McColl, a Farmer in the County of Kent, has furnished me with a series of articles, which he had contributed to the *St. Thomas Journal* and the *Rodney Mercury* in May and June, 1892, on "Schools and Dominies" in the Township of Aldborough. In his accompanying note he says that what he records happened before his time, he had, therefore, to "depend altogether on the memories of those who were the boys of long ago."

These sketches, by Mr. McColl, of the early school days in the old "Talbot Settlement" are highly interesting,—revealing, as they do, by way of contrast with these days what was the character of the social and school life of seventy years ago in the primitive settlement of this country. Much that I have omitted from these sketches relate to the pranks of school boys, and personal anecdotes of their leaders,—the most noted of whom was the late Sheriff McKellar, whose pleasantries and fun were often of a most amusing kind. The sketches begin with a reference to the schools of 1816 and 1819, as follows:—

*Mr. Malcolm Robinson, Teacher.*—The first school in Aldborough was opened in 1819 by Malcolm Robinson in his own dwelling, which served the purpose of kitchen, dining-room, parlor, bedroom, blacksmith shop and schoolhouse. Sheriff McKellar gives an amusing description of his boyish days at this school, which was the first he ever attended. . . . The first school in the County of Elgin was opened in the Township of Malahide in 1816, and up to the year 1830 only twenty schools existed in the whole "Talbot Settlement," extending at that time from the east of the County of Elgin to the west of the County of Kent, a distance of about one hundred miles. Mr. Robinson's schoolhouse was situated on Lot 2, in Concession 13, and in this School Mr. Lachlan MacDougall, father of Colin MacDougall, Q.C., afterwards taught. Only two or three of those who went to that school are now alive.

*Mr. George Munro, Teacher.*—In 1820 a school was opened in Mr. Munro's house. Here Mr. George Munro, then a young man in his teens, taught the youthful minds of those who were entrusted to his care for one year. Here Mr. McKellar began his acquaintance with Mr. Munro, which warmed into a close friendship which lasted till recently, when the death of the old Squire broke up the friendship of more than seventy years. . . .

After teaching a year in his father's house, Mr. Munro afterwards taught in a schoolhouse built on the farm of Mr. John McKellar, who was a cousin of Squire Munro, and lived on what is now known as the McBride farm, on Middle Street, where he taught for two or three years. This schoolhouse, in the words of Mr. Munro, was cold, dark and dismal, but with two windows of six panes each, in size, seven by nine inches. Seats and writing desks were logs flattened with the axe. At this time so much per scholar was paid by the parents for the privilege of attending school. Ten bushel of wheat was the fee. A quire of paper cost a bushel of wheat, and it required the same quantity of grain to pay for a spelling book. . . .

After quitting his work as a teacher here, Mr. Munro went to Clearville to teach in the first frame schoolhouse which was built between Long Point and Amherstburg. Here Mr. Munro boarded with a Mr. Baldwin, who kept hotel there at the time. Phineas, the young son of Mr. Baldwin, was a pupil in this school, and only ten years ago wrote a letter to his old teacher, telling him of the success he had met with in life, and stating that . . . much of his success in life was due to the teaching he had received, and to the words of wisdom impressed upon his memory by his old teacher, who always laboured so earnestly for his pupils' welfare.

Mr. Baldwin's letter is somewhat touching in places. . . . In it he said: "When memory reverts to my boyhood days, I never fail to call to mind my first and best school-day hours with you as teacher. How few of the old schoolmates of my boyish days remain on this side of the great beyond. Most have gone, I still retain a warm feeling for all." Part of Mr. Munro's reply may be appropriately quoted here, as it bears directly on pioneer life in Oxford. Mr. Munro says: "Your never-to-be-forgotten father was my confidant in everything to whose friendly and wise counsel I was much indebted. He was one of the first pioneers in Oxford

township. In his house was preached the first sermon that was ever preached in Oxford. His house was the home of the pioneer preachers of the Gospel, when on their tedious circuit through East Kent."

Sheriff McKellar, in a letter written since the death of Squire Munro, gives his old friend credit for being very painstaking with those who were placed in his charge for instruction, and says that he was a very good mathematician and surveyor. The surveying branch of his education he learned from Col. Burwell, and he assisted the Colonel in surveying the Western District, especially the greater part of the County of Kent. While away on these surveying expeditions, the party did not see a white person for two or three weeks at a time, meeting with many adventures on their trips, wolves being very plentiful in the forests, and sometimes being dangerous when food was scarce. Mr. Munro possessed a wonderful memory and anything once learned was never forgotten. An instance of this power may be given. The first surveying ever done in the Township of Aldborough was done by Mr. Hamley in 1804. His work was to lay out the concessions and sideroads; among which were the Furnival Road, along which he planted posts, one of which was planted at the corner of the farm on which Mr. Munro, sr., settled. At that time all the provision which the family used had to be carried from the lake on the backs of men. Mr. Munro, who was then a young man, in 1818 used to carry flour through what was then only a woodland path, and in his journeyings used to rest his load on this post while he rested. The post about this time had rotted off, and was seen no more until in 1875, when the township was re-surveyed and stone posts planted. While hunting for the original post, Mr. Munro, without hesitation, made a mark about three feet square, and said, gentlemen, if you dig inside that mark you will find where the original post stood and sure enough they there found the lower part of what was likely the only remnant of the survey in 1804 which is now in existence. Mr. Munro was also a fairly good classical scholar. In his latter years he also learned shorthand, and was a thorough master of Pitman's system of phonography. He with great patience wrote the whole of the new Testament in Scotland.

*Mr. John McDougall, Teacher.*—Mr. John McDougall was also one of the early teachers in this district, who made his mark on the intellectual faculties of the few scholars who, at that time, were able to attend school, being himself a man of fair education and good practical common sense. After M. Robinson's school was broken up the next schoolhouse on Talbot Street was built on Lot 4, Concession 13. This schoolhouse was built largely of clay, pressed together and dried in the sun, there only being timber enough in the building to bind it together. Yet it served its purpose for the time being.

*Mr. D. McCallum, Teacher.*—In this building Mr. D. McCallum, better known at that time as "trouble the hoose," from the fact that in common with a great many others of the men of his day he was a little too fond of a dram and when in his cups seemed to take delight in seeing how great a nuisance he could make of himself. On the last day of his term he took all the scholars, boys and girls alike, across the road to a private house, where he treated them all to all the whiskey they could drink. The result was that it is supposed that this act was only done out of pure kindness to the scholars to whom he was bidding farewell. After the dismissal of the school the boys set to work and tore the building to pieces by pulling the clay away from the timber, and made it impossible to teach there any longer, and the result was that another building was erected on the same ground, this time of logs roofed with clapboards about 4 feet long, which was the roofing in common use at that time.

*Schools of the Time.*—In this building school was kept for a number of years, and here many a one of the children of the pioneers were prepared for their life work and sent out into the world to make a name and record for themselves. Here many of those who are yet living dreamed their little day dreams and mapped out their future career in the same manner as their successors are doing to-day. They built their air castles in those happy school-day hours, which have long since passed away, only to realize in after years how little of what we expect ever comes to pass. But the knowledge gained in after years never made them unhappy or spoiled an hour's pleasure. At that time all in school were on an equal footing, and were not divided into classes according to the wealth or profession of their fathers, and no attempt was made to have one dressed better than another. All were dressed alike in clothes made mostly of the flax, which was grown at home and prepared at home from the stage of its existence as a plant until it became a raiment for the girls or boys to wear, and if it did not equal in splendour the purple and fine linen worn by King Solomon, the children were just as happy as if it did. No shoes were worn by any of the scholars so long as it was at all possible to do without them. In fact, the children grew up like those in Mrs. Hemans's poem "The Graves of a Household," who grew in beauty side by side, and filled one house with glee. Their graves are scattered far and wide, by stream and mount and sea. Many are in the church-yard laid, and some have died at sea. Some of them have been called upon to fill positions of honour and trust and have filled them in such a manner as to command the respect of their fellow citizens, to bring honour



to themselves, and to reflect credit upon the teachers who took such pains to train them up in the way they should go, and to impress upon their minds that honesty should guide them in all their dealings with their fellow men, and who taught them that "honour and fame from no condition rise, act well your part, there all the honour lies," and to their credit be it said that the great majority of them lived up to this teaching. It was a very rare case indeed in which any of those early scholars were ever accused of acting a dishonourable part.

*Mr. A. Currie, Teacher.*—A number of teachers taught in the old schoolhouse No. 4 Talbot Street, among them being Mr. A. Currie the father of Rev. A. Currie, of Duart. Mr. Currie had studied and for the ministry in the Scottish colleges, and was a scholar of more than ordinary knowledge, being the thorough master of seven languages. But coming to this country at an early date, he gave up the ministry and began teaching school, and while the church lost one who would likely have been a noted preacher the children of this place, who were so fortunate as to come under his instruction, were the gainers thereby, for although sometimes severe in his punishments, he was always anxious for his pupils to succeed, and spared no pains to impart as much of his learning to them as possible. Mr. Currie was also an extra good hand at making quill pens. Steel pens were then unknown, and the only substitute used was a pen made out of the quill feathers in a goose's wing. It was quite an art to make these pens to write well, and as it was very easy to spoil them, we may be sure that the master was kept busy during the writing hour repairing pens, and as it was easier waiting to get a pen mended than to write, quite likely the teacher did not forget the art through lack of practice. Mr. Currie was faithful and earnest in fulfilling all the duties of his position, and was revered accordingly. Like Goldsmith's village preacher

A man he was to all the country dear,  
And passing rich with less than forty pounds a year.

*Mr. Stewart, Teacher.*—Another of the teachers in this old schoolhouse was a Mr. Stewart, who was a student studying medicine. His career here was not of long duration, owing to the fact that his love for medical science placed him in danger of his life in the following ways: The knoll on which the schoolhouse stood is yet often referred to as squaw hill, from the fact that a good many years ago it had been used as an Indian burial ground. Some few years previous to the building of the schoolhouse a squaw had been buried there. The place of her burial is still marked by a small hollow in the ground. Mr. Stewart, thinking this would be a good chance to secure a skeleton for the study of the human frame, with the help of some of the larger boys, raised the body and carried it into the schoolhouse, where he kept it for some time, being, while there, a source of amusement to the older scholars and of terror to the younger. The frame was kept together by wires and stood behind the door. The wires were so arranged that the skeleton could be made, by pulling the wires, to open and close its jaws. In the meantime the Indians heard of the grave robbery and were furious, threatening to kill the author of the desecration. But before they had time to execute their mission of revenge, Mr. Stewart heard of their intention to end his career and suddenly departed. Sheriff McKellar attended this school for some time, and here also he was the ruling spirit in all sorts of pranks.

*Mr. John McDiarmid, Teacher.*—A schoolhouse was afterwards built a short distance below the New Glasgow graveyard, in which Mr. John McDiarmid (a brother of Mr. F. McDiarmid) taught for some time. This school was closed, and a school opened near Brock's Creek, a number of people having settled in that district in the meantime, and wishing to have school privileges for their children, they built a schoolhouse near where the Baptist Church now stands.

*Miss Catharine McDiarmid, Teacher.*—When Port Glasgow was in the height of its glory a school was opened there. In this school Miss Catharine McDiarmid was the instructor of the olive branches of the neighbourhood for some time, and as far as we know enjoys the distinction of being the first lady teacher employed in the schools of Aldborough. Many at that time believing that it would be a great act of folly to engage a woman to keep the children in the paths of right, or even to impart knowledge to their youthful minds.

*Mr. Kennedy, Teacher.*—Early in the history of the settlement, a school was established near Fifty-Two Creek, in which Mr. Kennedy, a theological student, taught for some time. About this time was made, so far as we are able to learn, the only attempt to introduce a private school system. Mr. Robert Young, who was a merchant engaged in business at Port Glasgow, engaged a governess to instruct his children privately, but the general opinion was that the better plan was that children, who had to fight the battle of life side by side, would be better able to successfully fight their way through life if they had first to endure the rough and tumble life of the public school. . . . The Fifty-Two Creek schoolhouse, on the Aldborough and Orford town line, was also a noted institution of learning for a number of years, and this schoolhouse had at times within its walls some very able teachers, among whom was Mr. Kennedy, afterwards a Presbyterian minister.



*Teachers' Salaries* at this time ranged from twelve to fourteen dollars per month, with the privilege of paying their board out of this amount. In those days the charge for board was only one dollar per week, washing included, and this, in spite of the fact that the necessities of life cost from five to ten times what they do now. If they had been charged present prices for board they would hardly have enough left of their year's salaries to buy tobacco. The balance was paid out of the clergy reserve fund, which had not then been secularized.

If we consider that many of the early teachers were men who were well educated, and consider the small salaries they received, we can only conclude that they must have had a higher object in view than the mere gaining of the few dollars they were paid for their services. But while many of the teachers were well educated, some few of them did not attempt to base their claims for a certificate on their literary qualifications. . . . Some time in the forties a new system was introduced, and this was that the teacher, in addition to the salary paid him, was expected to board round, spending a week at a time in each family from which children were sent to school. It made no difference whether the teacher liked the people, or the people liked the teacher, he was always expected to show up at every house in regular order, however much it would damage his feelings to do so. If anyone was slighted, it was an unpardonable offence for which there was no forgiveness. One thing the teacher could not complain of, and that was lack of variety. In some few houses the teacher would have a bed to himself, but in the most of cases, owing to lack of room, he was expected to bunk with from two to four of the "kids" who were under his care during the day. This would give him a good chance to see how his pupils behaved both day and night, but perhaps this would not add much to his comfort. . . . But such was the custom of the time, and as such, they had to put up with the general rule as best they could.

*Mr. Archibald McLachlin, Teacher.*—The late Registrar, Mr. A. McLachlin, had some experience of this mode of life, he having taught for some time in a schoolhouse on Lot 1, in Concession 13, near where the schoolhouse in School Section No. 1 now stands. Mr. McLachlin had only been a short time out from Scotland when he began his career as a teacher, and was not very well acquainted with the manners and customs of the people here. As a teacher he was painstaking and industrious, and worked with all his might for the advancement of his pupils. New Year day worked its way around shortly after his coming here, and to celebrate it in old country style, treated all his scholars in royal style. [Mr. McLachlin afterwards edited the *St. Thomas Home Journal*. He was subsequently the County Registrar, and, as a man, was highly respected.]

*Mr. A. Buchanan, Teacher.*—The old red schoolhouse on Black's lane, in the 10th Con., was also a famous institution and the scene of many a hard fought battle between opposing factions in the school, who were always ready to fight for the supremacy, and who were always bound to maintain their rights against all comers. The first teacher in this school was Mr. A. Buchanan, who tried to train the scholars in the path of right for quite a long time.

*Old and Disused School Houses.*—*The Furnival School.*—The old schoolhouse on the Furnival, near Middle Street, will also be remembered by many, although it is nearly twenty years since it has been used for the purpose for which it was built. It was used for a grange hall for some time after being closed as a school room.

*The New Glasgow School,* near New Glasgow Church, is to be seen still standing. The old schoolhouse, which has not been used for the purpose for which it was intended for some fifteen years, still stands as a monument to bring back to the memories of those who have spent many happy days in the old building, happy thoughts of days gone by. When first built the schoolhouse was seated by a long row of benches facing the wall. The desks were built against the wall, which gave the teacher a good chance to pass behind the scholars and see just how they were engaged.

The two rows of seats were sufficient for all the school for the first years of the school's existence. But as the scholars increased it became necessary to make a change, and the schoolhouse was reseeded with benches which would hold six scholars, each seat having a long desk in front, One purpose which these seats served was that of making a noise.

When two or three of the boys in a seat had to go to their classes to recite it was the usual thing to try and upset the seat, which was sure to make a racket, and was, no doubt, very trying to the teacher's nervous system. Anyway, the seats were always thrown down by "accident," and if there happened to be a small boy on the seat when it fell, so much the better and so much the more reason for making an effort to make the seat fall accidentally.

During the last years of school life in the old school a combination seat and desk was used, which spoiled the best laid schemes to make a noise.

*Mr. John S. McColl, Teacher.*—A list of all the teachers who put in time teaching the young, and giving the proper training for the battle of life may be interesting to many. The first teacher in this school was John S. McColl, afterwards Local Superintendent of Education in West Elgin, and who has long since passed away.

*Other Later Teachers.*—Mr. John S. McColl was followed by his brother, Mr. Ebenezer McColl, now Superintendent of Indian Agencies in the Northwest. Several followed. In all, nineteen teachers wielded the rod in the New Glasgow school during a period of twenty years.

*The School Books of these Early Days.*—Very little attention was ever paid in these days to physics, botany, chemistry, statics, geometry and algebra, which are the terror of the luckless child of to-day, who has to carry enough of books to make them tired physically as well as mentally. On starting to school the child of bygone days simply had to carry a "shingle," on which his letters were printed. This he would study until tired, when he would quietly raise up, place his book on the seat and sit down. There being no desks to hold the books, the style of book was very handy, as there was no danger of the leaves being torn out.

After the letters were thoroughly learned, the first step in advance was promotion to the class which was engaged in the study of the New Testament, the Bible being then the standard test book for reading. The scholars were thoroughly drilled in the teachings of Bible truths for a long time after learning to read fairly well. Cobb's spelling book was introduced. Not until the scholar could read and spell well was he allowed to begin to write, and a good deal of pains was taken to teach the scholar to write well. The pens used were made of goose quills, the ink also was made of soft maple bark, oak galls or something of that nature. To buy ink was impossible at that time, and steel pens had not come into general use. The copy books were often made of wrapping paper, foolscap paper being very scarce and expensive. A little arithmetic was also taught, and this, in the majority of cases, was the total amount of education which the pupils, as a general rule, had the chance to receive, more advanced pupils were taught a little grammar, geography and history. We will take, for an example, a geographical lesson on America, taken from a geography published about the year 1800, and which was the only one used at that time. The first question is :—

What is America?—The fourth part of the world, called also the New World.

How is North America divided?—Into Old Mexico, New Mexico, Canada or New France, New England and Florida.

What is New France?—A large tract of ground about the River St. Lawrence, divided into east and west, called also Mississippi or Louisiana.

What does the east parts contain?—Besides Canada, properly so-called, it contains divers nations, the chief of which are the Esquinals, Hurons, Christinals, Algonquins, Etechemins and Iroquois. The considerable towns are Quebec, Tadoussac and Montreal.

What is New Britain?—It lies north of New France, and is not cultivated, but the English, who possess it, drive a great trade in beaver and orignac's skins.

No other information about the North American Continent would be found in this book.

In a book for advanced scholars there is a short sketch of our country, which is not very complimentary, and is as follows :

The British settlements of North America, previous to the late revolution, extended from 26 to 49 degrees north latitude, stretching upwards of 1,000 miles along the Atlantic ocean. The Provinces of Nova Scotia and Canada, the most northerly and the least valuable, alone remain subject to Great Britain. The most considerable is Canada, which supplies great quantities of furs, obtained by the Indian trade, also lumber and some provisions for the West Indies. Nova Scotia, a cold and barren country, is chiefly valuable for the excellent harbour of Halifax. It carries on a considerable business at cod fishing, and supplies some timber for ship-building. This is all that the young Canadian historian, in the early years of the settlement here, could learn of what is now known as the Dominion of Canada, and certainly it does not flatter the country very much. But very little about this country was known to the people of Britain a hundred years ago, and, as there were no printing presses in the country for years afterwards, all the books used were either printed in Britain or the United States, the latter of whom had no particular love for anything British at that time. They would not be likely to write more favorably of Canada than they could possibly help.

The grammar which was used was called "A Grammatical Institute of the English Language." The grammar proper only contained fifty-six pages, and nearly half of that was taken up by notes explaining the meaning of terms in the lesson. But to the book is attached an appendix of sixty pages. From it we learn that there are just two genders—masculine, which comprehends all males, and feminine, comprehending all females. In a foot note it is explained that the English language knows no gender in the vegetable world. It leaves to



philosophy the sexes of plants, and considers all things without life as having no sex. Into how many classes may words be distributed? Nouns, articles, pronouns, adjectives, verbs and particles. Parsing, so far as we find here, was not studied.

I have also secured a book for advanced scholars, which contains arithmetic, book-keeping, state and laws of trade, insurance, mercantile laws, and exchange laws between different countries, and there are certainly some curious facts to be found within the covers of this volume, containing as it does, some 530 pages.

As books were not published in Canada in the early years of its history, books were scarce, and a high price was charged for them, so we may be sure that, with money as scarce and hard to get as it was in those days, as few books were bought as would do the term with careful handling. A book once bought was expected to do duty for each member of the family in turn. — The Bible itself, which was the principal reading book, was not as easily procured then as now, and, being held in great reverence, the greatest care was taken not to destroy its sacred pages. But if the early scholars had not as many books to store their minds with knowledge, and although very few of them would rank as scholars if judged by the standard of to-day, yet, judged by the struggles they had to endure, and the difficulties they had to conquer, we must admit that, as a general thing, they made better use of their opportunities than do the more favoured children of to-day, when education is free to all.

*Mr. Silcox, Teacher.*—Mr. Thomas Hammond of Aylmer, writes: The first school in Aylmer was opened by a Mr. Silcox in an old log building in 1818. This log building was used until 1838, when a grammar schoolhouse took its place.

#### SCHOOLS IN KINGSTON IN 1819.

Mr. A. S. Shaw, Trustee of the Kingston Board of Education, furnishes the following information in regard to the schools in Kingston in 1819. He says:—

In 1819 the town was well supplied with private schools. Mr. P. Hildreth advertised in the *Kingston Gazette* of April 28th, 1819, his terms, as follows:—

For each studying reading, writing and arithmetic, \$1 per month. Those studying English grammar by chart, which is the new approved plan, \$6 for six weeks, in which time, if they have arrived to years of discretion and good understanding, by their diligent application to the study thereof, he warrants them a good knowledge of it.

Particular attention will be paid to the pupil's grammar.

Scholars from 5 to 8 o'clock a.m. and from 4.30 to 7 o'clock p.m.

In May, 1819, another gentleman "Respectfully tenders his services to young ladies and gentlemen who wish to study the English language grammatically, systematic writing, arithmetic, or geography, etc.

#### THE PUBLIC LIBRARY AT NIAGARA, 1800-1820.

Miss Carnochan, of Niagara, read a paper at the Canadian Institute, Toronto, in January, 1894. From the report of the paper in the *Toronto Mail* of the 6th of January, I make the following interesting extracts. In the absence of the schools in the vicinity of the old Capital of Upper Canada, such a perennial source and centre of intellectual life as a public library would be must have afforded a great treat to the many intelligent inhabitants of the town. The *Mail* report was as follows:—

The subject of the paper was "Niagara Library, 1800 to 1820," and the facts were compiled from an old brown leather-covered book, found accidentally a few months ago.

The contents of the book proves that in those early days a most valuable public library existed in the town of Niagara, and that, to the boast made by Niagarians, that here was held the first Parliament for Upper Canada, that here was published the first newspaper for Upper Canada, that it contains almost the oldest church records, must now be added the honour of having had the first public library and the first agricultural society. The varied information to be gleaned from its pages may be thus classified: 1st, a list of names of proprietors through the years from 1800 to 1820; 2nd, a list of their payments, and those of non-subscribers; 3rd, catalogue of library with prices of books; 4th money expended, 5th, rules and regulations;



6th, account of annual meetings, contingent meetings, etc.; 7th, list of books taken out and dates of return; 8th, alphabetical list of subscribers with separate page for each. It is interesting to follow the library during the years of the past, to note the style of reading, the first thirty being religious, very little fiction, but especially rich in history, travel and magazines. The librarian, secretary and treasurer was Mr. Andrew Heron, the uncle of the late Andrew Heron, who died in Toronto. His services in the capacities were almost gratuitous, as, during the latter years he received a percentage on sums paid, but this was a mere trifle, and he must have been a great lover of books. The opening words in the book are:—

“Niagara Library, 8th June, 1800.—Sensible how much we are at a loss in this new and remote country for every kind of useful knowledge, and convinced that nothing would be of more use to diffuse knowledge amongst us and our offspring than a library supported by subscription in this town, we, whose names are hereunto subscribed, hereby associate ourselves together for that purpose, and promise to pay annually a sum not exceeding \$4, to be laid out in books, as agreed upon by a majority of votes at a yearly meeting to be held by us at this town on the 15th of August annually, when everything respecting the library will be regulated by the majority of votes.”

Here follows the list of names, which is interesting and valuable in itself, 41 in number, afterwards increased to about 100 during these twenty years, but at no time numbering more than forty-five proprietors, though there were many non-subscribers, as they are called, who merely paid an annual fee. The names of Sylvester Tiffany, the editor of the paper published in Niagara, and of Rev. Robert Addison, the first minister of St. Mark's Church, Messieurs Butler, McNab, Claus, Dickson and Muirhead, occur. There were almost a thousand books in the library, costing £500. In 1805 the Agricultural Society brought in fifty volumes, valuable works on agriculture, and were admitted as members. Among the trustees are Andrew Heron, Robert Addison, Martin McLellan, Ralph Clench, Alexander McKie, etc. Stringent laws with regard to return of books were enforced by means of fines. There were no meetings during the year 1813, when the town was in the hands of the Americans, and 1814, when it was a heap of ruins, but in 1815 the trustees met as if nothing had happened, and more books were bought. How preserved is not known, but many books must have been saved, as, from the issue of books can be seen, many not in the list of books to replace others are found.

The last record is in 1820, and is in these words: “Whereas the Niagara Library has been greatly wasted, first by being plundered by the army of the United States, and has since been greatly neglected, very few of the proprietors having paid their quota to support the same, we, whose names are hereunto subscribed, hereby relinquish our claims on the same to Andrew Heron (who has now opened a library of his own for the use of the public), in consideration of his allowing us the use of his library for three years; this he engages to do to all those who have paid up their yearly contributions to the year 1817 inclusive. To those who have not paid to that period he will allow according to their deficiency in those payments. We consider those propositions as quite fair, and do thereto assent. James Crooks, J. Muirhead, John Symington, John Wagstaff, John Powell, John McEwen, J. Butler, George Young, John Grier.” The reason of this transfer was doubtless, because a large balance was owing to Mr. Heron. So far we know nothing more of these books. By a strange coincidence, however, a book has been seen, now in Ancaster, which was saved from the fire; and is remembered to have been charred, though now these pages have been torn away. It is No. 51 in the catalogue, and it is hoped others may yet be heard from. Mr. Heron was also the secretary and treasurer of St. Andrew's Church, Niagara, and the old record book, dating from 1794, when the first church was built, is, in its early pages, all in his peculiar, large handwriting. The paper closed with a reference to the library of Rev. Robert Addison, now in possession of St. Mark's Church, containing many old and rare folio editions from Leyden, Geneva, Rotterdam, Oxford, etc., numbering also about one thousand volumes. St. Andrew's Church has a congregational library dating from 1833, also numbering about one thousand volumes, and the present Mechanics' Institute Library numbers over three thousand volumes. It may be hoped that the libraries of the present day may be favoured with secretaries, treasurers and librarians as faithful and painstaking as the secretary, treasurer and librarian of the Niagara Library, 1800.

### THE SCHOOL-HOUSE AT THOROLD IN 1820.

Mr. D. E. Miller, Secretary of the School Board at Thorold, writes:—

The first schoolhouse in what is now the Town of Thorold was built by Mr. Henry C. Ball and others in 1820, at the extreme east of the limits of the town, on the St. David's road, leading towards Homer. The first teacher was Mr. Rattray. The second school was built more to the west of the present town, on the Keefer estate, where Mr. Myers taught. After this a school was built about the centre of the town, on the Grenville property.

## CHAPTER XXXV.

## EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1820.

Lieutenant-Governor Sir Peregrine Maitland, opened the sixth session of the Seventh Parliament of Upper Canada, on the twenty-first day of February, 1820, with a Speech from the Throne, in which he thus referred to education :—

You will direct your attention to such laws as are about to expire. Among these is the Act for the establishment of schools. While you bear in mind that justice takes place of ever other consideration, you will not forget that it is repugnant to the decrees of Providence that civil liberty should long maintain its ground among any people disqualified by ignorance and licentiousness from its enjoyment. Your disposition, therefore, to provide for this valuable object will, I am persuaded, always keep pace with your means on the present scale, and under the present regulations of the Bill. It is neither prudent nor perhaps desirable to proceed, but measures may possibly be adopted, to produce the same good at a more moderate expense.

Provision for religious instruction and the diffusion of Education are becoming daily more important in this Province.

## EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1820.

*21st February, 1820.*—Mr. Philip VanKoughnet gives notice that he will, on Thursday next, move for leave to bring in a Bill to continue, amend, and repeal part of an Act passed in the fifty-sixth year of His Majesty's reign, (1816), intituled, "An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools.

Mr. Mahlon Burwell gives notice that he will, on Friday next, move for leave to bring in a Bill to increase the representation of the people in this Province and a University, in the Commons House of Assembly.

*23rd February, 1820.*—The Address to His Excellency, in answer to his Speech from the Throne, was agreed to. That part of it relating to education was as follows :—

We shall direct our attention to such laws as are about to expire, and give to the revision of the Common School Act that due consideration which its importance demands.

We are aware that ignorance and licentiousness are at variance with the true principles of civil polity and rational freedom, and, in our deliberations on this important subject, it shall be our study to keep in view the improvement of the moral and religious habits of the rising generation.

*24th February, 1820.*—A Message was this day received from His Excellency the Lieutenant-Governor, and was read by Mr. Speaker as follows :—

P. MAITLAND :

The Lieutenant-Governor transmits a Schedule prepared by the Inspector-General showing the various appropriations of sums amounting to £37,853, 9 s. 1 d., for payment of which no specific sum is designated, together with a statement from the same Officer of the probable means to meet this amount of appropriations. "It appears that of the sum appropriated for Common Schools, a large amount paid to District Treasurers remains unemployd, and cannot now be legally expended." Yet the Law provides no remedy, but subject to the Lieutenant-Governor to constant demands for further advances to the very persons holding the same unaccounted for.

GOVERNMENT HOUSE, YORK,

24th February, 1820.

P.M.

*24th February, 1820.*—Agreeable to the Order of the Day, Mr. Mahlon Burwell, seconded by Mr. Peter Robinson, moves for leave to bring in a Bill to increase the representation of the Commons of this Province [including a University,] in Parliament, which was granted, and the Bill was read a first time. Mr. Burwell, seconded by Mr. Robinson, moves that the said representation Bill be read a second time on Monday next which was ordered.



*28th February, 1820.*—Agreeably to the Order of the Day, the Commons and University Representation Bill was read a second time.

Mr. Mahlon Burwell, seconded by Mr. Peter Robinson, moves that the House do now go into Committee on the Commons and University Representation Bill, which was carried, and Mr. Nelles took the chair of the Committee.

The House having resumed, Mr. Nelles reported progress, and obtained leave to sit again to-morrow.

*29th February, 1820.*—Agreeably to the Order of the Day, the House went into Committee on the Commons and University Representation Bill, Mr. Nelles in the chair.

The House having resumed, Mr. Nelles reported the Bill as amended. On the question for receiving the Report the House divided, and the yeas and nays were taken down as follows :—

YEAS.—Messieurs Nelles, Cameron, Jones, McDonell, Nichol, Robinson, Fraser, Burwell, Burnham, Durand, Swayze and Cotter.—12.

NAYS.—Messieurs Secord, McMartin, VanKoughnet, Howard and Casey.—5. So it was carried, in the affirmative by a majority of seven, and the Report was received.

Mr. Burwell moves, seconded by Mr. Fraser, that the Commons and University Representation Bill be engrossed and read a third time to-morrow, which was ordered.

*1st March, 1820.*—Agreeably to the Order of the Day, the aforesaid Representation Bill was read the third time.

Mr. Robert Nichol, seconded by Mr. Mahlon Burwell, moves, that after the word "Province," in the fourth clause, the words "and in conformity to the Rules and Statutes of similar institutions in Great Britain" be inserted.

In amendment, Mr. Philip VanKoughnet, seconded by Mr. James Durand, moves that so much of the Bill as provides for the representation of a University in the House of Assembly be expunged.

Upon which the House divided, and the Yeas and Nays were taken down as follows :—

YEAS.—Messieurs Secord, McMartin, VanKoughnet, Durand, Howard, and Casey.—6.

NAYS.—Messieurs Nelles, McDonell, Cotter, Nichol, Robinson, Jones, Burwell, Cameron, Swayze and Burnham.—10.

So it was carried in the negative by a majority of four.

The originl question was then put and carried.

Mr. Mah'on Burwell, seconded by Mr. Cameron, moves that the Commons and University Representation Bill do now pass, which was carried, and the Bill was signed by the Speaker.

Mr. Peter Robinson, seconded by Mr. Cameron, moves that Messieurs Burwell and Nelles be a Committee to carry the said Bill to the Honourable the Legislative Council, and request their concurrence thereto, which was carried.

Mr. Burwell, from the Committee to carry up to the Honourable the Legislative Council the Representation in Parliament Bill, and to request their concurrence thereto, reported that the Committee had done so.

Agreeably to notice, Mr. VanKoughnet, seconded by Mr. Durand, moves for leave to bring in a Bill to repeal part of, and amend, and to continue, an Act passed in the fifty-sixth year of His Majesty's Reign, (1816) intituled, 'An Act for granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools.' Which was granted and the Bill read a first time.

Mr. Philip VanKoughnet, seconded by Mr. James Durand, moves that the Common School Bill be read a second time on to-morrow. Which was ordered.

*2nd March, 1820.*—Agreeably to the Order of the Day, the Common School Bill was read the second time.

Mr. Philip VanKoughnet, seconded by Mr. Peter Howard, moves that the House do now resolve itself into a Committee of the Whole, to take into consideration the Common School Bill. Which was carried, and Mr. Zacheus Burnham took the chair of the Committee.

The House having resumed, Mr. Burnham reported progress, and obtained leave to sit at again to-morrow.

*3rd March, 1820.*—The House went again into Committee on the Common School Bill. Mr. Burnham in the chair.



The House having resumed, Mr. Burnham reported the Bill as amended. Ordered that the Report be received.

Mr. Philip VanKoughnet, seconded by Mr. Jonas Jones, moves that the Common School Bill be engrossed and read a third time on to-morrow. Which was ordered.

Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable the Legislative Council a Message which he delivered and withdrew, when the Speaker read the same as follows :—

MR. SPEAKER :

The Honourable the Legislative Council request a Conference with the Commons' House of Assembly on the subject matter of the Representation in Parliament Bill, and have appointed a Committee of two of its members, who will be ready to meet a Committee of the Commons' House of Assembly for that purpose in the Legislative Council Chamber at one o'clock this day.

WM. DUMMER POWELL,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
3rd of March, 1820.

Mr. McMartin, seconded by Mr. VanKoughnet, moves that Messieurs Robinson, Jones, Burwell and Nelles, be a Committee to confer with a Committee of the Legislative Council on the subject matter of the Commons and University Representation in Parliament Bill at one o'clock this day, which was ordered.

Mr. Robinson of the Committee, to confer with a Committee of the Honourable the Legislative Council on the Representation in Parliament Bill, reported that that Committee had proposed an amendment to the said Bill, to which your Committee have agreed, and recommend the adoption thereof to Your Honourable House. On motion of Mr. Robert Nichol, seconded by Mr. Peter Robinson, the amendment was concurred in, and Messieurs Jones and Nelles be a Committee to acquaint the Honourable the Legislative Council of such concurrence, which was ordered.

Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable the Legislative Council the Representation in Parliament Bill sent up from this House, which they had passed with some amendments, which they recommended to the adoption of this House.

The Messenger withdrew, and the amendments were considered and adopted.

Mr. Robinson, seconded by Mr. Nichol, moves that Messieurs Burwell and McMartin be a Committee to acquaint the Honourable the Legislative Council that this House have concurred in the amendments made by them to the Representation in Parliament Bill, which was ordered.

4th March, 1820.—Mr. Robinson, seconded by Mr. Peter Howard, moves that the Common School Bill do now pass, and that it be intituled, "An Act to amend and continue, under certain modifications, an Act passed in the fifty-sixth year of His Majesty's reign, (1816), intituled, "An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools."

Upon which the House divided, and the Yeas and Nays were taken down as follows :—

YEAS.—Messieurs McDonell, Secord, McMartin, Cameron, VanKoughnet, Robinson Nelles, Howard, Burnham, Jones, Fraser, Burwell, Cotter and Casey.—14.

NAYS.—Messieurs Nichol and Durand—2.

It was carried in the affirmative by a majority of twelve, and the Bill passed, and was signed by the Speaker.

Mr. Peter Robinson, seconded by Mr. Jonas Jones, moves that Messieurs Howard and Burnham be a Committee to carry up to the Honourable the Legislative Council the Common school Bill and to request their concurrence thereto. Which was ordered.

Mr. Howard, first named of the Committee to carry up to the Honourable the Legislative Council, the Common School Bill, and request their concurrence thereto, reported that the Committee had done so.

6th March, 1820.—Mr. W. W. Baldwin, Master-in-Chancery, brought down from the Honourable the Legislative Council the Bill, intituled : "An Act to amend and continue under certain modifications an Act passed in the fifty-sixth year of His Majesty's reign, (1816), intituled : 'An Act for granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools,' which they had passed without amendment.

7th March, 1820.—By command of His Excellency the Lieutenant-Governor, Black Rod summoned the attendance of the Members of the House of Assembly in the Legislative Council Chamber, when, in His Majesty's name, the Lieutenant Governor assented to the following, among other Bills, viz. :

"An Act to amend, and continue, under certain modifications, an Act passed in the fifty-sixth year of His Majesty's reign (1816), intituled, 'An Act granting to His Majesty a sum of Money, to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools ;'" also

"An Act to provide for increasing the Representation of the Commons (and of an University), in this Province in the House of Assembly."

After which His Excellency closed the Session of the Legislature with a speech from the Throne, in which he thus referred to the amended law relating to Common Schools :

"I was principally induced to call you together that you might consider what provision you could make for the continuance of the Common Schools, established by an Act which would soon have expired. \* \* \* The Bill which you have enacted \* \* \* is, I doubt not, the result of your best deliberations. \* \* \*

NOTE.—Sir Peregrine Maitland referred also to the "Representation in Parliament Bill," as "putting on a more equal footing the exercise of the most important privilege of a free people," but he said nothing about the University Representation clause of it. There being no record of the proceedings of the Legislative Council preserved, I do not know what its action was in passing these Acts. The following are copies of the "Common School Amendment Act," and the section of the "Representation Act" relating to the University as passed :

#### I. GEORGE IV., CHAPTER VII.

AN ACT TO AMEND CONTINUE, UNDER CERTAIN MODIFICATIONS, AN ACT PASSED IN THE FIFTY-SIXTH YEAR OF HIS MAJESTY'S REIGN (1816) INTITULED, "AN ACT GRANTING TO HIS MAJESTY A SUM OF MONEY, TO BE APPLIED TO THE USE OF COMMON SCHOOLS THROUGHOUT THIS PROVINCE, AND TO PROVIDE FOR THE REGULATION OF THE SAID COMMON SCHOOLS."

*Sir Peregrine Maitland, Lieutenant-Governor.*

*Passed 7th March, 1820*

MOST GRACIOUS SOVEREIGN.

Whereas it is expedient, for the encouragement of education, to continue, Preamble.  
under certain modifications, an Act passed in the fifty-sixth year of His Majesty's reign, intituled, "An Act granting to His Majesty a sum of Money, to be applied to the use of Common Schools throughout this Province." Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America and to make further provision for the Government of the said Province,'" and by the authority of the same that the said Act of the fifty-sixth year of His Majesty's reign, except the first, the tenth, twelfth, and so much of the thirteenth clause as fixes the salary to be paid to any Common School to twenty-five pounds, which is hereby repealed, be, and the same is hereby continued.

2. And be it further enacted by the authority aforesaid that for the establishment of Common Schools in each and every District of this Province, there shall be annually paid, during the continuance of this Act, the sum of two thousand five hundred and fifty pounds, to be paid annually in aid of Common Schools.

hundred pounds, in manner hereinafter mentioned, out of any moneys which are now raised or levied, or which hereafter may be raised or levied by authority of Parliament to and for the use of this Province; of which said sum of two thousand five hundred pounds there shall be paid annually to the Home District Distribution. two hundred and fifty pounds; to the District of Newcastle, two hundred and fifty pounds; to the Midland District, two hundred and fifty pounds; to the Johnstown District, two hundred and fifty pounds; to the Eastern District, two hundred and fifty pounds; to the District of London, two hundred and fifty pounds; to the District of Gore, two hundred and fifty pounds; to the Niagara District, two Sec. 4 George hundred and fifty pounds; to the Western District, two hundred and fifty pounds; IV., ch. 36. to the District of Ottawa, two hundred and fifty pounds.

3. And be it further enacted, by the authority aforesaid, that the moneys <sup>Sums to be</sup> granted by this Act shall be equally portioned to the Teachers of the several Com- <sup>equally divid-</sup> mon Schools in each and every District of this Province, to be paid to the Teachers <sup>ed among</sup> yearly or half-yearly, as may be directed by the said Trustees. Provided, never- <sup>teachers.</sup> theless, that nothing herein contained shall extend, or be construed or extend, <sup>Proviso.</sup> to authorize the payment of a greater sum than twelve pounds ten shillings to the several Teachers of the said Schools.

4. And be it further enacted, by the authority aforesaid, that it shall and may <sup>Board of</sup> be lawful for the Board of Education, in each and every District, to nominate and <sup>Trustees'</sup> appoint a Clerk to the said Board, and direct the Treasurer of the District to pay <sup>powers in</sup> him annually out of the moneys in his hands for the purposes of this Act, a sum <sup>each District.</sup> not exceeding five pounds.

5. And be it further enacted, by the authority aforesaid, that anything in the <sup>No warrant to</sup> said Act of the fifty-sixth year of His Majesty's reign notwithstanding, it shall not <sup>issue to any</sup> be lawful for the Governor, Lieutenant-Governor, or person administering the <sup>District Trea-</sup> Government, to issue any further warrant on the Receiver-General, under the <sup>surer till the</sup> provisions of the said Act, to any District Treasurer until a faithful account shall <sup>District</sup> be rendered, authenticated by proper vouchers, and attested by the oath of the <sup>Treasurer</sup> respective Treasurers, of the expenditure of the sums already advanced, or which <sup>till the</sup> may hereafter be advanced, on account, to their respective Districts. <sup>sums hereto-</sup> <sup>fare paid have</sup> <sup>been account-</sup> <sup>ed for.</sup>

6. And be it further enacted, by the authority aforesaid, that when any <sup>Disposition of</sup> balance shall remain in the hands of the Treasurer of any District beyond the <sup>balances in</sup> payment of the lawful requisitions, orders or certificates, of the Trustees, <sup>the hands of</sup> respectively, after the first day of July next, it shall and may be lawful for the <sup>District</sup> said Treasurer to retain so much thereof as is directed to be paid by this Act in <sup>Treasurers.</sup> any one year to the District of which he is Treasurer, to carry into effect the pro- <sup>Compensa-</sup> visions of this Act, and the balance thereof pay over to His Majesty's Receiver- <sup>tions to the</sup> General, for the public uses of this Province, on or before the said first day of <sup>Treasurer.</sup> July.

7. And be it further enacted, by the authority aforesaid, that the money <sup>How the</sup> hereby granted to His Majesty shall be paid by the Receiver-General in discharge <sup>moneys here-</sup> of such warrant or warrants as shall, for the purpose herein set forth, be issued by <sup>by granted</sup> the Governor, Lieutenant-Governor, or persons administering the Government of <sup>are to be paid</sup> this Province, and shall be accounted for by the Receiver-General of this Pro- <sup>and accounted</sup> vince to His Majesty, His Heirs and Successors, through the Lords Commissioners <sup>for.</sup> of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

8. And be it further enacted, by the authority aforesaid, that this Act shall <sup>Continuance</sup> be, and is hereby declared to be, in force for and during the term of four years, <sup>of this Act.</sup> and from thence to the end of the next ensuing Session of Parliament, and no longer.

NOTE.—This Section was repealed by 4th George iv., chapter viii. This Act itself, and the other subsequent Common School Acts, have been repealed since the Union of the Canadas by the 4th and 5th Victoria, chapter xviii.



## UNIVERSITY REPRESENTATION IN THE UPPER CANADA LEGISLATURE, 1820.

The fourth section of the "Act to Provide for Increasing the Representation of the Commons of this Province in the House of Assembly," passed in the fifth session of the Seventh Parliament of Upper Canada, 7th March, 1820, 60th George III., Chapter 2,\* provides as follows:—

IV. And be it further enacted by the authority aforesaid, that wherever an University shall be organized and in operation as a seminary in this Province, and in conformity to the rules and statutes of similar institutions in Great Britain, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province, for the time being, to declare by proclamation the tract of land appendant to such University, and whereupon the same is situated, to be a Town or Township, by such name as to him may seem meet, and that such Town or Township so constituted shall be represented by one Member. Provided always, nevertheless, that no person shall be permitted to vote at any such election for a member to represent the said University in Parliament who, besides the qualifications now by law required, shall not also be entitled to vote in the Convocation of said University.

Whenever an University shall be established in this Province it shall be represented by one member.  
By whom such member may be elected.

## CHAPTER XXXVI.

## THE CENTRAL (NATIONAL) SCHOOL OF YORK, 1820.

The Central School was established at York in 1820. It was conducted on the educational principles of the Rev. Dr. Bell—known as the Madras, or monitorial, system of teaching—a counterpart at York of the Lancaster system then in great favour at Kingston, and in Lower Canada.†

From the Rev. Dr. Scadding's *Toronto of Old*, it appears that from the south-east corner of this six-acre square, "about half an acre had been abstracted, as it were, and enclosed." On this half acre a Common school house had been erected by subscription in 1818, as stated by Mr. Jesse Ketchum, (in his evidence on the Appleton case, in 1828). Here Mr. Thomas Appleton taught until his services were dispensed with in 1820, and the school house, by direction of Lieutenant-

\*Collection of "Statutes of the Province of Upper Canada," together with such British Statutes, Ordinances of Quebec and Proclamations as relate to said Province. Revised by James Nickalls, Junior, Esquire, Barrister-at-Law, Kingston, Upper Canada, 1831. In this collection this Statute is intitled as the "60th George III." In the "Statutes of Upper Canada," to the time of the Union of 1840, Revised and Published by Authority, 1843, this Statute is intitled: "1st George IV." The note appended to it in this collection reads: "Superseded by the Act of Union," so that, in point of fact, the above fourth section never came into operation, for the Provincial University was not founded until 1842, nor in operation until 1843.

†Mr. Spragg, in his evidence before a Committee of the House of Assembly on the Appleton case, in 1828, pointed out what he considered as the difference between the Bell and Lancaster systems, as follows:

Question.—What is the general system of education pursued by you?

Answer.—Rev. Dr. Bell's system, which I consider as prior in invention to Mr. Lancaster's.

Question.—What is the difference between these two systems?

Answer.—The principal difference is that Dr. Bell's system is in accordance with the established Church, and in my school I use the Church Catechism, and a Collect at morning and evening prayer. But the children are not taught the Church Catechism when their parents object to it.

Governor Maitland, was transferred to special Trustees, and was afterwards known, (as Dr. Scadding states,) as the "Central School," and was what would then (1873), he stated :

Be called a Common School, conducted on the "Bell and Lancaster" principle. Large numbers frequented it. Mr. Joseph Spragg, the Master of the school, had enjoyed the superior advantage of a regular training in England as an instructor of the young.\* . . . (Pages 164, 165.) Mr. Spragg's predecessor at the Central School was Mr. Thomas Appleton. . . . and Mr. Appleton's assistant, for a time, was Mr. John Fenton, who acted as parish clerk in St. James' Church. He was a proficient in popular science, a ready talker and lecturer.

In Market lane, south of King street, now known as Colborne street, was in olden time, the Masonic Hall, a wooden building of two storeys, surmounted by a cupola—the first structure in York that ever enjoyed such a distinction. . . . The lower part of this Hall was, for a considerable time, used as a (Common) School, (PAGE 109, 145, etc.)

This School was kept in 1816, by the Rev. Alexander Stewart ; in 1820, by Mr. Thomas Appleton ; and subsequently (as a private School), by Mr., afterwards the Rev. Dr. Thomas, Caldicott, for some years Minister of the Bond Street Baptist Church, Toronto.

The School in Market lane, or Colborne street, was conducted under the Common School Act of 1816, and as a Common School of the Township of York. In 1816, a new Common School House was erected by subscription, or shares, on the south-east corner of the "College Square," and Trustees were elected under that Act for its management.

In 1820, when the Legislative grant of \$24,000 a year in aid of Common Schools was reduced to \$10,000 a year, the District Board of Education discontinued this, (and other Schools in the Province,) without notifying the then teacher, Mr. Thomas Appleton. He applied to the Trustees for redress and they in turn, presented his case to the Lieutenant-Governor in the following statement :

MAY IT PLEASE YOUR EXCELLENCY,

We, the owners of shares in the Common School House of York, in a school meeting assembled, (notice being given to all) respectfully beg leave to state : That early last season we were informed that your Excellency had sent to England for a school-master to teach in the Bell and Lancaster manner ; and that it was desired, that the Common School House should be had for that use, accordingly engagements for short periods were made with the then Teacher, Mr. Thomas Appleton, for the express purpose ; but as no teacher had arrived at the time mentioned, and as we had heard nothing more respecting him, we supposed that some difficulty had frustrated Your Excellency's intentions.

Therefore, the engagement with Mr. Appleton, the present Teacher was for six months ; the expectation of both parties being, that if the Teacher satisfied his employers, he should be continued in his situation there.

His expectations have been increased and strengthened by the great increase of scholars, and the approval of all, inducing him to engage an Assistant, thinking, as no notice had been given him, that if any other Teacher was expected or wanted, he would be continued as Master.

We, therefore, doubt not but that Your Excellency will agree with us, that the present Teacher's claims are too reasonable and just to be disappointed ; still desirous of meeting your Excellency's wishes, we feel anxious to demonstrate our gratitude to Your Excellency for your parental care and goodness in any way we can, and also take this opportunity of expressing our thankfulness for Your Excellency's very liberal subscription and support toward building the school house. By order of the meeting,

ELI PLAYTER,  
Chairman.

YORK, 28th August, 1820.

\*In his evidence on the Appleton case in 1828, Mr. Spragg stated that he had "acquired the Bell's system at the Central National School in London, before coming to this Province."

The Lieutenant-Governor replied, through Mr. George Hillier, his Secretary, in the following indefinite terms :—

YORK, August 31st, 1820.

GENTLEMEN :

I have the honor to acquaint you, that your application of the 28th instant, on the subject of the Common School of the Township of York, has been received and submitted to the Lieutenant-Governor.

His Excellency has desired me to acquaint you, that, as he is not aware of any communication having been made to you on the subject matter of your petition, he sees no occasion for any reference to it.

G HILLIER.

*To the Trustees of the Common School of the Township of York :*

In the meantime, and at the instance of the Rev. Dr. Strachan, the Lieutenant-Governor had sent to England for a Teacher, familiar with the then noted system of the Rev. Dr. Bell, known as the Madras, or monitorial, system of teaching. Mr. Joseph Spragg was the person selected, and he arrived in Canada about the middle of the year 1820. The Rev. Dr. Strachan applied to the Trustees of the York Common School for the use of their School building, which had been erected in 1818 on the "College Square." The request was refused. However, as the Common School taught by Mr. Appleton had been discontinued by the District Board of Education on account, as was alleged, of the decrease of the Legislative grant, the Lieutenant-Governor directed Mr. Spragg to occupy the unused School House, and thence forward it was known as the "Central School," so named after the parent school in London, at which Mr. Spragg was trained.

The case of Mr. Thomas Appleton, the discarded Common School Teacher was not, however, permitted to pass out of public notice. Year after year he, and those who regarded his case with sympathy, sought redress from the Lieutenant-Governor and the Provincial Board of Education, but without success. At length the House of Assembly took up the case warmly in 1828—eight years after its occurrence—and it thus became a *cause celebre*, which evoked a great deal of feeling, as well as a politico-religious discussion, which was acrimonious and bitter. Although the originating cause was in itself, a minor one, as to its essence, yet, with other causes, it developed into a prolonged struggle against the alleged attempt to introduce a quasi state church system into Upper Canada. For this reason, and from the position and character of the Members of the House of Assembly who espoused Appleton's cause, the particulars of the case became interesting. They will be found in detail in the Legislative proceedings of 1828. They throw a vivid side light on the educational state, and official proceedings, of the day. They also illustrate the efforts then made to introduce, by means of a novel system of teaching, (which was very popular in England at the time), the "National," or Church of England, system of schools into Upper Canada. No doubt this effort, as well as the successful one, of the Rev. Dr. Strachan, in procuring a Church of England Charter for King's College in 1827, intensified the feeling in the Appleton case, and excited the hostility—it may be unduly—of the



popular branch of the Legislature against the Administration of the day, and particularly against the Provincial Board of Education. At all events the comparatively simple, yet just cause of Teacher Appleton, (which could have been so easily and fairly settled at the time,) was suffered to grow into the nature of a grievance, as it was that of a hardship. The consequence was the growth of much acrimony of feeling, which developed into a state of chronic warfare against, practically, an intrenched camp, during which, however, the Provincial Board of Education as an outpost was swept away, while useful legislation was retarded in the well-intentioned but vain efforts, at the time, to right alleged wrongs, and to maintain equal rights in educational matters as between all classes of His Majesty's subjects, and the various religious bodies in this Province.

#### FIRST REPORT OF THE CENTRAL SCHOOL AT YORK, 1820-21.

The title of this Report, as published at the time, reads thus: "First Annual Report of the Upper Canada Central School on the British National System of Education. Patron: His Excellency the Lieutenant-Governor, Major General Sir Peregrine Maitland, K. C. B.; Trustees: The Honourable Lieutenant-Colonel Joseph Wells; John Beverly Robinson, Esquire, Attorney General; Thomas Ridout, Esquire, Surveyor General. Mr. Joseph Spragg, Master and Secretary."

*Report.*—The Central School at York, Upper Canada, was opened in the autumn of 1820, with a very small number of scholars. In the course of three months the number increased to sixty-three, affording an opportunity of instructing according to the system of the Schools of the British National Society.

During the first year one hundred and fifty-eight children, ninety-five boys and sixty-three girls, have been instructed in the school, ninety-one of whom had never before received any education and others but very little.

With the opportunity that has been afforded from the present population, it is hoped much good has already been done; and the great improvement of those scholars in particular, whose attendance has been regular, is most manifest.

The number of children that have received instruction since the commencement strengthens the confidence entertained of the general benefit that will hereafter be felt from this institution.

The school is under the particular patronage of His Excellency the Lieutenant-Governor, who has repeatedly visited it, with Lady Sarah Maitland, and their satisfaction at the progress of the children, has been often warmly expressed.

Notwithstanding the progress that has been made, and the great advantages with which this system of education has been pursued in Great Britain and various other quarters of the globe, by which the solid improvement of a large portion of the rising generation is constantly effected; yet the warm co-operation of those who have the general good at heart, will be always most requisite to promote the great design, therefore the cordial assistance of such is earnestly called for, and it is hoped this will not be withheld.

To train up, not only those who are destined for the higher departments of life, but also the rising generation in general, to proper and regular habits of application and industry combined with sound moral and religious notions, must be surely desirable, as being highly calculated both for the individual and general good.

If as it has been said, knowledge is power, it necessarily becomes a duty, in an age when the thirst for improvement is continually increasing among all ranks, to implant with useful knowledge, good principles and notions in the rising generations, such as will not only fit them for the present life, but (what is of infinitely greater importance) will prepare them for that which is to come; thereby providing the best defence against the insidious arts of the ill-disposed.

"In uncultivated lands noxious weeds spring up. . . . If the generous seeds of religion and virtue be not carefully sown in the tender minds of children, and if those seeds be not cultivated by good education, there will certainly spring up briars and thorns, of which parents will not only feel the inconvenience, but everybody else that comes near them." TILLETSON.

Tuition by the scholars themselves, who are rendered capable thereof, under the constant superintendence of the Master, has proved to be the most effectual and expeditious method of communicating sound education; by which those who teach and those who are taught, are equally improved and benefited.

England and other polished nations of the globe, being convinced by experience, of this truth, schools, upon this system, on an extensive scale, having been universally established; and it is computed, that, in England, fully 250,000 children are now receiving education under this system. Of these, "not less than 60,000 are annually sent forth to mix in the mass of society, carrying into it that valuable improvement in religious and moral knowledge, in decent and orderly habits and in attachment to the institutions of their country, which all so happily imbibe who are taught in the schools formed on this system."

It must be obvious to the enlightened mind, that, in forming a school on this system, however excellent the system may be, much is necessary to be done, particularly in its commencement, to qualify teachers and assistants for the different classes and thoroughly to establish the rules and method of this instruction; and where the superior advantages of the system are not generally known, the earnest exertions of friends to the institution are most essential, in order to extend its benefits by their recommendations in its favor, and thus to remove any mistaken prejudices that may be created by its novelty, more especially where the population is small and where a change of many of the inhabitants is continually occurring; for it is of essential consequence, under the frequent change of scholars that takes place, to have always a good succession of those who have, by practice, become well qualified to be teachers.

Copying from the very successful exertions of the Central School of the National Society in London, a suitable opportunity is now afforded here, by the immediate experience of the present Master, to prepare other masters to spread this invaluable system of education throughout the whole of this Province.

The School is at all times open to the inspection of visitors, who, on duly estimating the improved method of instruction, by the multiplication of power and division of labor, and in particular the principles of this system of education, will, it is to be hoped, always take an increasing interest in the same, at every repetition of their visit.

On establishing a new institution for education, although on a system that has, after full experience, received the high sanction and support of the greatest characters in Europe, it appears highly proper to give the following account of some of the proceedings of the British National Society, for Promoting Education on this system (patronised by His Majesty, and supported by the principal nobility and gentry in Great Britain) and to add a few extracts from the work of its revered inventor, the Rev. Dr. Bell.\*

JOSEPH SPRAGG,  
Secretary.

It is clear from the Despatch of Sir Peregrine Maitland, in 1823, to Earl Bathurst, Colonial Secretary, (given below) that it was the intention of the Government of that day to introduce, without the assent of the Legislature, the Church

\*The following are some of these extracts, etc., referred to in this Report:—"Rev. Dr. Bell, in his instructions on the new system of education, says, 'The Madras, or new System of Educating, has no parallel in the history of mind. It differs not only essentially from every system in the principle, on which it is built, but also materially in the laws by which it is conducted. . . . It is founded on a discovery, made within the walls of a school for the multiplication of power and division of labor in the moral and intellectual world. . . . To attain any good end in education, the grand desideratum is to fix attention, to call forth exertion and to prevent the waste of time in school. This, in the Madras School is achieved . . . by the strong and permanent hold which its machinery takes of the mind, and the deep impression which it makes on the heart. This system rests on the simple principle of tuition by the scholars themselves. It is its distinguishing characteristic, that the School, numerous so however, is taught solely by the pupils of the institution, under a single Master, to whom, by multiplying his Ministers at pleasure, it gives indefinite powers. . . . The Madras School is arranged into forms or classes each composed of scholars, who have made a suitable proficiency. The scholar ever finds his own level, not only in his class, but also in the ranks of the school, being promoted or degraded from place to place, or class to class, according to his relative proficiency. . . . By the perpetual attendance of the Teachers on their classes, and their unceasing vigilance; by the love of imitation natural to children, by the incessant stimulus of emulation, and by the continual occupation of every member of every class, the most effectual provision is made for the greatest discipline as well as the perfect instruction and rapid improvement of the whole school. . . . This perpetual occupation, along with perfect instruction, conduces also greatly to good order and silence. Not a moment can be otherwise than pleasantly and profitably employed. . . .'"



of England National System of Schools into Upper Canada. With that object in view and, as a preliminary step in that direction, the elementary "Central School," taught by Mr. Joseph Spragg at York, was established three years before the assent of the Home Government was given to the project. This new School displaced the Common School at York, and, for its use, the School House, then occupied by Mr. Thomas Appleton, the Teacher employed by Trustees, under the authority of the Common School Act of 1816, was taken. This intention, on the part of the Lieutenant-Governor, is thus expressed by him in his Despatch to Earl Bathurst, in 1822, to which I have referred:—

It is proposed to establish one introductory school on the National plan in each town of a certain size. It is supposed that a salary of one hundred pounds (£100) per annum to the Master of each such school would be sufficient. The number of these schools may be increased as the circumstances of the Province may require, and the means allow. (No. 1.)

The reply of Earl Bathurst to this dispatch is dated Colonial office, October 12th, 1823, and was addressed to Sir Peregrine Maitland, as follows:—

I am happy to have it in my power to convey to you His Majesty's consent that you appropriate a portion of the [Crown] Reserves, set apart for the establishment of an University, for the support of schools on the National [Church of England] plan of education. (No. 2.)

It will thus be seen that two kinds of elementary schools were at this time projected and put into operation—one, the ordinary Common School, established and supported by the Legislature; the other, the ordinary Church of England National School, established by the authority of the Executive Government alone, and sanctioned three years after its establishment by the Home Government. These National Schools, as will be seen above, were to be supported out of funds which had been specially set apart for the maintenance of a University for Upper Canada, and without a vote of the Legislature to that effect. In fact, the Legislature, as such, knew nothing about it.

#### PROCEEDINGS OF THE EXECUTIVE GOVERNMENT IN REGARD TO THE CENTRAL SCHOOL IN 1822 AND 1823.

Sir John Colborne, in a Memorandum addressed to his Executive Council in May, 1830, thus narrates the proceedings of his Predecessor, in regard to the introduction of these Church of England "National Schools" into Upper Canada. He said:—

1. That in 1822, Sir Peregrine Maitland submitted to His Majesty's Government a plan for organizing a general system of education, and suggested the expediency of applying the proceeds of the sale of part of the lands, under the title of School Reserves, to carry it into effect, and of reserving the remainder for the future endowment of an University, should such an establishment not be considered advisable at present,—and proposed also that an introductory school on the National plan in each town of a certain size should be established, and that the number of such Schools should be increased, as the circumstance of the Province might require.

2. That Lord Bathurst, in his despatch of the 12th of October, 1823, [quoted above] in reply to these proposals, having approved of a portion of those Reserves, (set aside for the establishment of an University), being appropriated for the use of schools, on the National plan of education, Sir Peregrine Maitland requested the attention of the Executive Council to this subject, in order that a portion of the School Reserves might be disposed of, so as to form a fund to enable the General Board of Education to enter on its duties.



3. That a Committee of the Executive Council, on examining extracts from Lord Bathurst's Despatch of the 12th of October, 1823, recommended that eight townships be applied to carry into effect the intentions of His Majesty's Government in this matter.

In the following letter Sir Peregrine Maitland, through Mr. Secretary Hillier, communicated his views on this subject to his Executive Council in a letter dated the 30th of May, 1823 :—

SIR : Earl Bathurst having, in a late despatch to the Lieutenant-Governor, signified the sanction of His Majesty's Government to a plan proposed by His Excellency of forming a General Board of Education in this Province, as will be shown by the enclosed papers, numbers 1 and 2 on page 179.

I have been commanded by His Excellency to request that this subject may engage the early attention of the Executive Council.

A Board of fit persons to carry into effect the proposed plan will be immediately nominated by the Lieutenant-Governor ; and it occurs to His Excellency that the object which, in the first place, requires consideration of the Committee of Council, is the appropriation of some portion of the lands, set aside for the endowment of an University, in such manner as shall readily and securely create a fund to enable the General Board of Education to enter on its duties, either by conveying such portion of lands in trust to the Board of Education—(subject in all of its proceedings to the sanction of the Executive Government)—or by such other mode as may to the Committee of Council appear more expedient.

G. HILLIER,  
Secretary.

TO THE HONOURABLE THE PRESIDING COUNCILLOR.

## CHAPTER XXXVII.

### MISCELLANEOUS EDUCATIONAL MATTERS DURING 1820-1824.

Nothing of special interest occurred in the Legislature of Upper Canada during 1821. The following papers are, therefore, grouped together, relating to educational matters connected with the years 1820-1824, etc.

#### EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY, 1821-22.

There is no record of the proceedings of the House of Assembly, or of the Legislative Council, available for the first session of the Eighth Parliament of Upper Canada. But during that session, an Act was passed to provide "for compensating District Treasurers for Duties imposed on them by the several Acts of this Province, relative to Common Schools." The Act was assented to by the Lieutenant-Governor on behalf of His Majesty on the 14th of April, 1821. The enacting clause is taken from the Statute Book, as follows :—

It shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province to direct the Inspector General, or other officer to whom the duty appertains, to allow to the Treasurer of any District in this Province, in any settlement of accounts relative to moneys received, paid and expended therein, by him, for Common Schools, the sum of three pounds for every one hundred pounds, which may have been paid through the hands of such Treasurer : Provided, such Treasurer shall produce proper vouchers to prove that such sum or sums of money as may have been paid into his hands for the use of Common Schools, has or have been expended and paid, according to the intent and meaning of the Acts of this Province relating to the said Common Schools.

On the 26th of December, 1821, the Petition of sundry inhabitants of the Town of York and its vicinity was laid before the House of Assembly and read. It prayed for Legislative patronage and aid for establishing Sunday School institutions. Mr. Robert Nichol, seconded by Mr. Attorney General Robinson, moves that this petition be referred to a Select Committee to be composed of Messieurs William Warren Baldwin and John Willson, of the county of Wentworth, that they report by Bill or otherwise, which was carried.

Either the Committee did not meet, or, if they did meet, no report from them in any form is recorded in the proceedings of the House of Assembly for the session of 1821-22.

#### MR. WILLIAM WEEKES' LEGACY FOR AN ACADEMY AT YORK, 1821.

The second session of the Eighth Parliament of Upper Canada met on the twenty-first day of December, 1821, and closed on the seventeenth day of January, 1822. In the Speech from the Throne, no reference was made to schools or education. Nothing relating to education came before either House, except a measure relating to the Weekes' legacy for an Academy at York.

On the 12th of December, 1821, Dr. W. W. Baldwin gave notice that he would introduce into the House of Assembly a Bill for the nomination of Trustees to carry into effect the last will and testament of the late William Weekes, Esquire, in which, among other things, was devised certain estates towards the erection and maintenance of an Academy, or Public Seminary, for the education of youth at York. On the 17th of December, the Bill was read a first time; on the 18th, the second reading took place, and the Bill considered in Committee, on the 20th, the Bill was read a third time and passed. It was sent up to the Legislative Council on that day and was there amended. The House of Assembly adopted these amendments on the 5th of January 1822; and on the 17th of that month, the Bill was assented to by the Lieutenant-Governor on behalf of His Majesty.

Under the authority of this Act, the following persons were appointed Trustees for the purposes named in it, viz., the Honourable and Reverend John Strachan, D. D.; the Honourable John Beverly Robinson, and the Honourable Henry John Boulton. Mr. Weekes' Executors were Messieurs Charles B. Wyatt and John McKay. Against these Executors various suits were brought during ten years by creditors of the estate of Mr. Weekes, so that it was not until 1831, that the Trustees named were able to report in regard to their trust, which was to apply the residue, (after the payment of debts,) of the moneys arising from the sale of the real and personal estate of the late William Weekes to the erecting and building the foundation of an Academy at York. This they did on the first of February, 1831, as follows:—

Whatever may have been the condition of the estate when it came into the hands of the Executors, there is no question as to its being now insolvent, exclusive of any claims for interest, —not a trace of debts or personal assets of any kind belonging to the estate appears in possession.

Thus the Weekes' trust failed of being carried out, and no Academy was erected or built out of the lapsed estate.

#### COURSE OF STUDY AT THE COMMON SCHOOL AT YORK IN 1820-1821.

The Common School at York was conducted by Trustees, elected under the provisions of the Common School Act of 1816,—first at Market Lane, (Colborne St.), and afterwards in the new Common School House erected on the College Square in 1818. It was discontinued in 1820, when the Common School grant of \$24,000 per annum, (originally made in 1816), was, in 1820, reduced to \$10,000 a year. The building was then transferred to new and special Trustees, by order of Lieutenant-Governor, Sir Peregrine Maitland, for the purpose of introducing into this Province the then new and popular system of teaching in England, since known as the Bell, or Church of England National school system of elementary schools.

The following course of study pursued in the Common Schools of that day will be interesting for the purposes of comparison with the programme of studies of the corresponding schools of this day (1894):

All the Classes (at least four lessons a day) read, spell and parse.

Examinations are held every evening in Grammar, Spelling and Arithmetic Tables. The Church Catechism is heard once a week. The following is the daily order of studies:

		MORNING.	BOOKS USED.
	NUMBER OF PUPILS.		
First Class of Boys.	8	Grammar Lessons, Exercises on Grammar, Reading, Spelling and Parsing; Writing or Arithmetic.	Murray's English Reader, Murray's Grammar and Exercises; Gray and Walkinghame's Arithmetic.
First Class of Girls.	4	Grammar "Tasks"; Definitions, Correction of Erroneous Syntax; Reading; Parsing and Spelling; Writing or Arithmetic.	Enfield's Speaker; Murray's Grammar and Exercises; Carpenter's Scholar's Assistant; Walkinghame's Arithmetic.
Second Class of Boys.	8	Grammar, Parsing; Etymology, Reading, Spelling and Writing.	New Testament: Murray's Grammar and Spelling Book.
Second Class of Girls.	7	Grammar Lessons; Definitions, Reading, Spelling and Parsing; Writing.	Barrie's Reader; Murray's Grammar; Carpenter's Assistant; Scott's Lessons; Writing.
Third and Fourth Class of Children.	10	Spelling; Reading; Analysing; Orthography.	Testament and Murray's Spelling Book.
AFTERNOON.			
First Class of Boys.	8	Reading, Spelling and Parsing; Writing or Arithmetic.	Same as in the Morning.
First Class of Girls.	4	Reading, Spelling and Parsing; Writing and Arithmetic.	Same as in the Morning.
Second Class of Boys.	8	Reading, Spelling, Parsing and Writing.	Same as in the Morning.
Second Class of Girls.	7	Reading, Spelling, Parsing and Writing.	New Testament and Barrie's Lessons.
Third and Fourth Classes.	10	Same as in the Morning.	



Dictionaries by Walker, Entick ; the Union by Brown ; Creighton's Scripture and proper names.

Hours of Instruction : From nine to twelve noon, and from one to four or five p.m. as occasion requires. Mr. Thomas Appleton, Teacher, Messieurs Jesse Ketchum, Jordan Post and Dr. T. D. Morrison, Trustees. York, 28th of February, 1821.

#### LIST OF TEACHERS IN THE HOME DISTRICT IN 1820-1822.

Mr. John Devine, township of Toronto, in 1820.  
 Mr. James McEnrey, township of Toronto, in 1820 ; Uxbridge in 1882.  
 Mr. John Neelands, township of Toronto, in 1820 ; Etobicoke in 1822.  
 Mr. R. Cathcart, township of York, in 1820, 1821 and 1822.  
 Mr. E. Pengh, township of York, in 1820.  
 Mr. William Sleigh, township of Markham, in 1820 ; Pickering in 1822.  
 Mr. Jacobe Scott, township of Markham, in 1820.  
 Mr. John Canning, township of Markham, in 1820.  
 Mr. Thomas Foley, township of Markham, in 1820.  
 Mr. James Cawdell, township of Whitchurch, in 1820 ; Vaughan in 1822.  
 Mr. R. Clark, township of Whitchurch, in 1820.  
 Mr. M. Clark, township of Whitchurch, in 1820.  
 Mr. Miles Brown, township of Etobicoke, in 1820.  
 Mr. Benjamin Bernard, township of Vaughan, in 1820.  
 Mr. R. Patterson, township of Scarborough, in 1820.  
 Mr. William Watson, township of Scarborough, in 1820.  
 Mr. Alexander McCausland, township of East Gwillimbury, in 1820, 1821 and 1822.  
 Mr. William Moore, township of Whitby, in 1820.  
 Mr. George Bradford, township of Toronto, in 1822.  
 Mr. William Cassells, township of Markham, in 1822.  
 Mr. Alexander Jamieson, township of Markham, in 1822.  
 Mr. A. Hubertus, township of Markham, in 1822.  
 Mr. Samuel Halton, township of Markham, in 1822.  
 Mr. Charles B. Hasher, township of Whitchurch, in 1822.  
 Mr. James Jamieson, township of Whitchurch, in 1822.  
 Mr. Alexander McCeechener, township of Vaughan, in 1822.  
 Mr. R. Preston, township of Vaughan, in 1822.  
 Mr. P. Carney, township of Vaughan, in 1822.  
 Mr. Thomas Vaux\*, township of Vaughan, in 1822.  
 Mr. Samuel Brooks, township of North Gwillimbury, in 1822.  
 Mr. James Collins, township of King, in 1822.

#### PAYMENTS ON BEHALF OF SCHOOLS DURING THE YEARS 1820-24.

Name.	Year 1820.	Year 1821.	Year 1822.	Year 1823.	Year 1824.
	Sterling.	Sterling.	Sterling.	Sterling.	Sterling.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Joseph Spragg, Central School, York, salary, etc.	394 15 1	177 13 6	253 13 1 $\frac{1}{2}$	249 4 0	248 2 0 $\frac{1}{2}$
Hon. Joseph Wells, Trustee of the Central School, York. ....	.....	358 11 2 $\frac{1}{2}$			

#### AGGREGATE PAYMENTS FOR THE USE OF GRAMMAR AND COMMON SCHOOLS, 1825-28.

	Year 1825.	Years 1826-27.	Year 1828.
	£ s. d.	£ s. d.	£ s. d.
Teachers of the various District (Grammar) Schools.....	1,154 15 9 $\frac{3}{4}$	1,050 0 0	632 2 11 $\frac{1}{2}$
“ Common Schools.....	2,897 17 1	2,050 0 0	1,250 0 0
For Sunday School Books.....	150 . . .	150 . . .	150 . . .

\*Appointed a Clerk in the House of Assembly in 1829 ; He was afterwards Accountant of the House of Assembly, and died in February, 1880. I knew him to be a most estimable man.

## CHAPTER XXXVIII.

## EDUCATION PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1823.

On the fifteenth of January, 1823, His Excellency Sir Peregrine Maitland, the Lieutenant-Governor, opened the third session of the Eighth Parliament of Upper Canada with a Speech from the Throne. In it he made no reference to the subject of education or schools.

## EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1823.

The members of the House of Assembly who took part in its educational legislation, were Messieurs David Pattie, David Jones, William Morris, George Hamilton, Robert Nichol, — Gates, Samuel S. Wilmot, John Clark, Reuben White, Samuel Casey, Peter Shaver, John Willson, Robert Hamilton, David M. Rogers, Thomas Horner, Jonas Jones, Alexander McDonell, Mahlon Burwell, Archibald McLean, Henry Ruttan, James Crooks, James Gordon, Philip VanKoughnet, William Chisholm, — Kerr, Dr. Wm. Warren Baldwin.

The most noted of these members, to whom I have not already referred to, were Messieurs Archibald McLean (afterwards Speaker, and, in 1837, elevated to the Bench); John Willson and Henry Ruttan, (both afterwards Speakers); William Morris, James Crooks and James Gordon (afterwards called to the Legislative Council.

The Honourable LEVIUS PETERS SHERWOOD (elected in 1813 and 1820), was Speaker in 1821-1824; and, in 1825, was elevated to the Bench.

The Honourable WILLIAM MORRIS was elected for the County of Lanark in 1825, 1830 and 1835. In 1836, he was called to the Legislative Council; was Receiver-General in 1844, and President of the Executive Council in 1846. He died in 1858.

The Honourable JAMES CROOKS was elected for the County of Halton in 1820; appointed Member of the Legislative Council in 1835, and died in 1860, aged 82. His son, the Honourable Adam Crooks, was the first Minister of Education of Ontario, and was so appointed in 1876.

Mr. SAMUEL D. WILMOT was elected a member of the House of Assembly in 1820. He was for many years Deputy Surveyor-General of Upper Canada.

*17th January, 1823.*—Mr. David Pattie gives notice that he will on Thursday next move for leave to bring in a Bill for the purpose of establishing a District (Grammar) School in the District of Ottawa.

*23rd January, 1823.*—Agreeably to notice Mr. David Pattie, seconded by Mr. David Jones, of Leeds, moves for leave to bring in a Bill to establish a Public (Grammar) School in the District of Ottawa, which was granted, and the Bill was read a first time.

Mr. David Pattie, seconded by Mr. David Jones, of Leeds, moves that the Ottawa District (Grammar) School Bill be read a second time to-morrow, which was ordered.

Mr. William Morris gives notice that he will, on Monday next, move for leave to bring in a Bill to appropriate a sum of money towards the support of a District (Grammar) School and Common Schools within the District of Bathurst, and to grant a salary to the Sheriff of the said District.

*24th January, 1823.*—Agreeably to the Order of the Day, the Ottawa District (Grammar) School Bill was read a second time.

Mr. David Pattie, seconded by Mr. David Jones, of Leeds, moves that the House do now resolve itself into a Committee to take into consideration the Bill to establish a Public (Grammar) School in the District of Ottawa, which was carried, and Mr. George Hamilton, of Wentworth, took the chair of the Committee.

The House having resumed, Mr. Hamilton reported the Bill as amended.

*Ordered,* That the Report be received.

Mr. David Pattie, seconded by Mr. David Jones, of Leeds, moves that the Bill to establish a Public (Grammar) School in the District of Ottawa be engrossed and read a third time to-morrow. Which was ordered.

*25th January 1823.*—Agreeably to the Order of the Day, the Ottawa (Grammar) School Bill was read the third time.

Mr. Robert Nichol, seconded by Mr. David Pattie, moves that the Bill for establishing a Public (Grammar) School in the District of Ottawa, be recommitted on Monday next, which was ordered.

Mr. John Clark, of Lincoln, seconded by Mr. John Willson, of Wentworth, moved for leave to bring up the petition of Mr. William B. Willson and others, praying for the payment of moneys due to them as Common School Teachers in the District of Niagara, which was granted, and the petition was brought up.

*27th January, 1823.*—Agreeably to notice, Mr. William Morris, seconded by Mr. Gates, moves for leave to bring in a Bill to appropriate a sum of money for the support of Grammar and Common Schools, and the payment of a Sheriff's salary within the District of Bathurst, which was carried and the Bill read a first time.

Mr. Morris, seconded by Mr. Gates, moves that the Bathurst Grammar and Common Schools, and Sheriff's Appropriation Bill be read a second time to-morrow. Which was ordered.

Agreeably to the Order of the Day, the House went into Committee on the Ottawa (Grammar) School Bill, Mr. Samuel S. Wilmot in the chair.

The House having resumed, Mr. Samuel S. Wilmot reported the Bill as amended.

*Ordered,* That the Report be received.

Mr. David Pattie, seconded by Mr. John Clark, of Lincoln, moves that the Bill to establish a Public (Grammar) School in the District of Ottawa be engrossed and read a third time to-morrow, which was ordered.

*28th January, 1823.*—Agreeably to the Order of the Day, the Ottawa (Grammar) School Bill was read the third time.

Mr. David Pattie, seconded by Mr. Reuben White, moves that the said Bill do now pass, and that it be intituled: "An Act to provide for the establishment of a Public (Grammar) School in the District of Ottawa," which was carried, and the Bill signed by the Speaker.

Mr. William Morris, seconded by Mr. Samuel Casey, moves that Messieurs Pattie and Clark be a Committee to carry up to the Honourable the Legislative Council the Ottawa District (Grammar) School Bill, and to request their concurrence thereto. Which was ordered.

Mr. Daniel Hagerman, seconded by Mr. Bostwick, moves for leave to bring up the petition of Thomas Markland, Esquire, and others, of the Town of Kingston, praying for aid to purchase books for Sunday Schools, which was granted, and the petition was brought up.

Agreeably to the Order of the Day, the petition from Mr. William B. Willson and others praying for Legislative assistance to procure the public money due them as Teachers of Common Schools in the District of Niagara, was read.

Mr. John Clark of Lincoln, seconded by Mr. Samuel S. Wilmot, moves that the petition of Mr. William B. Willson and others be referred to a Select Committee composed of Messieurs Hamilton of Wentworth, Crooks and Kerr, and that the said Committee have power to send for persons, or papers, and to report by Bill or otherwise. Which was ordered.

Agreeably to the Order of the Day the Bathurst Grammar and Common School Bill was read the second time.



Mr. William Morris, seconded by Mr. Peter Shaver, moves that the House do now resolve self into a Committee of the Whole on the Bill to appropriate a sum of money towards the support of Grammar and Common Schools within the District of Bathurst, which was carried. Mr. John Willson of Wentworth was called to the chair of the Committee. The House having resumed Mr. Willson reported the Bill as amended. Ordered that the Report be received.

Mr. William Morris, seconded by Mr. Robert Hamilton of Lincoln moves that the Bathurst Grammar and Common School Appropriation Bill be engrossed and read a third time to-morrow. Which was ordered.

*29th January, 1823.*—Agreeably to the Order of Day, the Bathurst Grammar and Common School Bill was read the third time.

Mr. William Morris, seconded by Mr. David M. Rogers, moves that the Bathurst Grammar and Common Schools Appropriation Bill be re-committed to-morrow. Which was ordered.

Mr. Robert Nichol, seconded by Mr. David Pattie, moves that it be an instruction to the Committee on the Bathurst Grammar and Common School Bill that they separate the provision for District Grammar and Common Schools, and for Sheriffs—(up to this point the Bill had this double object)—and provide for the said purposes contained in the said Bill by separate Bills. Which was ordered.

*30th January, 1823.*—Agreeably to the Order of the Day, the petition from Thomas Markland, Esquire, and others of the Town of Kingston, praying for the purchasing of books for promotion of Sunday Schools was read.

Mr. D'Arcy Boulton, Master-in-Chancery, brought down from the Honourable the Legislative Council the Bill, intituled: An Act to provide for the establishment of a Public (Grammar) School in the District of Ottawa, which they had passed without amendment, and then withdrew.

*31st January, 1823.*—Agreeably to the Order of the Day, the House went into Committee on the Bathurst District Grammar School Bill. Mr. Thomas Horner in the chair.

The House having resumed, Mr. Thomas Horner reported that the Committee had divided the Bathurst School Bill into three distinct Bills, as follows:

(1) The Bathurst District Grammar School Bill; (2) the Bathurst Common School Bill and (3) the Bathurst Sheriff's Bill. Ordered that the Report be received.

Mr. Jonas Jones, of Grenville, seconded by Mr. Alexander McDonell, moves that the Bathurst Common School Bill be engrossed and read a third time on Monday next. Which was ordered.

Mr. Jonas Jones, of Grenville, seconded by Mr. Alexander McDonell, moves that the Bathurst District (Grammar) School Bill be engrossed and read a third time on Monday next. Which was ordered.

*3rd February, 1823.*—Agreeably to the Order of the Day, the Bathurst District (Grammar) School Bill was read the third time.

Mr. Jonas Jones of Grenville seconded by Mr. Mahlon Burwell, moves that the said Bill do now pass, and it be intituled: "An Act granting to His Majesty a sum of money for the support of a Public (Grammar) School in the Bathurst District." Which was carried and the Bill signed.

Mr. Jonas Jones, of Grenville, seconded by Mr. Mahlon Burwell, moves that Messieurs McLean of Stormont and Kerr be a Committee to carry up to the Honourable the Legislative Council the Bathurst (District) Grammar School Bill, and to request their concurrence thereto. Which was ordered.

Agreeably to the Order of the Day, the Bathurst Common School Bill was read the third time.

Mr. Jonas Jones, of Grenville, seconded by Mr. Mahlon Burwell, moves that the Bill do now pass and that it be intituled: "An Act granting His Majesty a sum of money for the support of Common Schools in the Bathurst District." Which was carried, and the Bill signed by the Speaker.

Mr. Jonas Jones, of Grenville, seconded by Mr. Mahlon Burwell, moves that Messieurs McLean, of Stormont and Kerr be a Committee to carry up to the Honourable the Legislative Council the Bathurst District (Grammar) School Bill, and to request their concurrence thereto. Which was ordered.

Mr. Archibald McLean, of Stormont, from the Committee to carry up to the Honourable the Legislative Council the Bill intituled: "An Act granting to His Majesty a sum of money for the support of a Public (Grammar) School in the Bathurst District," and the Bill intituled "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," and to request their concurrence thereto, reported that they had done so.

*4th February, 1823.*—Mr. David M. Rogers, seconded by Mr. Henry Ruttan, moves for leave to bring up two petitions from inhabitants of this Province, praying for money to purchase books for Sunday Schools. Which was granted and the petitions brought up.

*6th February, 1823.*—Agreeably to the Order of the Day, the petition from sundry inhabitants of the Village of Cobourg, praying Legislative aid to enable them to establish a library for the benefit of Sunday School institutions, and the petition from sundry inhabitants of Brockville, praying the same, were read.

Mr. D'Arcy Boulton, Master-in-Chancery, brought down from the Honourable the Legislative Council, a Message, and having withdrawn the Speaker read the same as follows :

MR. SPEAKER :

The Honourable the Legislative Council request a Conference with the Common's House of Assembly on the subject of the Bathurst District Common School Bill and have appointed a Committee of two members who will be ready to meet a Committee of the Common's House of Assembly, in the Joint Committee Room, for that purpose, at two o'clock p.m., to-morrow.

WM. DUMMER POWELL.  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
6th February, 1823.

Mr. John Clark, of Lincoln, from the Committee to whom was referred the petition of Mr. W. B. Wilson and others of the District of Niagara, informed the House that the Committee had agreed to a report which he was directed to submit for the adoption of the House. Ordered, That the report be received, and it was read as follows :

MR. SPEAKER :

The Committee to whom was referred the petition of certain teachers of Common Schools in the District of Niagara, beg leave to report to your Honourable House, that they have examined into the merits of the said petition, and cannot do otherwise than agree with those who have signed the same in behalf of themselves and the teachers of the Common Schools in the said District : that their case is one of peculiar hardship, occasioned by no act of their own, and tending much to depress learning in that part of the Province.

For remedy whereof your Committee beg leave to report the draft of a Bill, which they now submit to your Honourable House for its approbation.

JOHN CLARK,  
Chairman.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,  
6th February, 1823.

The Bill for the relief of Mr. W. B. Wilson and other Teachers in the District of Niagara, was then read for the first time.

Mr. John Clark, seconded by Mr. James Crooks, moves that the Bill for the relief of the Teachers of Common Schools in the Niagara District be read a second time to-morrow. Which was ordered.

Mr. William Morris, seconded by Mr. Peter Shaver, moves that this House do accede to the request of the Honourable the Legislative Council on the subject of a Conference on the Bill, intituled : "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," and that Messieurs Jonas Jones, of Grenville, Robert Nichol and James Gordon do compose a Committee for that purpose. Which was ordered.

Mr. William Morris, seconded by Mr. James Gordon, moves that a Message be sent to the Honourable the Legislative Council, that the House of Assembly have appointed a Committee of four of its Members to confer with the Conferees of their Honourable House, at the time appointed, on the subject matter of the Bill, intituled : "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District, and that Messieurs VanKoughnet and Gates do carry up the said Message. Which was ordered.

*7th February, 1823.*—Agreeably to the Order of the Day, the Niagara District Common School Teachers' Relief Bill was read the second time.

Mr. Philip VanKoughnet, from the Committee to carry up to the Honourable the Legislative Council a Message on the subject of a Conference on the Bathurst Common Schools Bill, reported they had done so.



Mr. William Morris, from the Committee appointed to confer with the Committee appointed by the Honourable the Legislative Council on the subject matter of the District of Bathurst Common School Bill, presented the following report :

MR. SPEAKER :

The Committee appointed by your Honourable House to confer with the Committee of the Honourable the Legislative Council upon the Bill sent up by this House to that Honourable House, intitled : " An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," in obedience to your orders, met the Committee of the Legislative Council, who stated to your Committee that the words " and unappropriated " in the first clause appeared to have been inadvertently left out, to which your Committee replied that they would report the same to your Honourable House.

WILLIAM MORRIS,  
Chairman.

COMMONS HOUSE OF ASSEMBLY,  
7th February, 1823.

Mr. John Clark, of Lincoln, seconded by Mr. James Crooks, moves that the House do now resolve itself into a Committee of the Whole on the Niagara District Common School Teachers' Relief Bill. Which was carried, and Mr. Archibald McLean, of Stormont, took the chair.

The House having resumed, Mr. McLean reported progress, and asked for leave to sit again on Tuesday next. Ordered, that the report be received, and leave was granted accordingly.

Mr. D'Arcy Boulton, Master-in-Chancery, brought down from the the Honourable the Legislative Council the District of Bathurst Public (Grammar) School Bill, which they had passed without amendment.

Agreeably to the Order of the Day, the Niagara District Common School Teachers' Relief Bill was read the third time.

*13th February, 1823.*—Mr. John Willson, of Wentworth, seconded by Mr. Chisholm, moves that Messieurs Clark and Kerr be a Committee to carry up to the Honourable the Legislative Council the Act for the relief of Teachers in the Common Schools in the Niagara District, and request the concurrence of that Honourable House thereto. Which was ordered.

Mr. John Clark, seconded by Mr. George Hamilton, of Wentworth, moves that the Bill do now pass and that it be intituled, " An Act for the relief of Teachers of the Common Schools in the Niagara District." Which was carried, and the Bill signed by the Speaker.

*20th February, 1823.*—Mr. Clark, from the Committee to carry up to the Honourable the Legislative Council the Bill for the relief of the Common School Teachers of the District of Niagara and request their concurrence thereto, reported that they had done so.

*24th February 1823.*—Dr. W. W. Baldwin gives notice that he will, to-morrow, move for leave to bring in a Bill for the establishment of a College in this Province.

*27th February, 1823.*—Agreeably to notice Dr. W. W. Baldwin, seconded by Mr. John Willson, of Wentworth, moves for leave to bring in a Bill for the establishment of a College within this Province. Which was granted, and the Bill read a first time.

Dr. W. W. Baldwin, seconded by Mr. Samuel S. Wilmot, moves that the College Bill be read a second time on Monday. Which was ordered.

*28th February, 1823.*—The following Messages were received from the Lieutenant-Governor by Mr. Hillier, his Secretary :

P. MAITLAND :

The Lieutenant-Governor transmits to the House of Assembly copies of such reports of education as have been received since the last session of the Legislature.

The Lieutenant-Governor transmits to the House of Assembly copies of such reports of the Board of Trustees of District Schools as have been received since the last session of the Legislature.

GOVERNMENT HOUSE,  
February 28th, 1823.

*28th February 1823.*—Mr. William Morris, seconded by Mr. Peter Shaver, moves that an humble Address be presented to His Excellency the Lieutenant-Governor thanking him for these Messages and the School Reports.



*4th March, 1823.*—Agreeably to the Order of the Day, an Address to His Excellency the Lieutenant-Governor, thanking him for his gracious Message, transmitting to this House the Report of the Board of Education and Trustees of District (Grammar) Schools and the other documents was agreed to, and signed by the Honourable Levius P. Sherwood, Speaker. Messieurs Bostwick and Ruttan were appointed a Committee to wait upon His Excellency, and present to him the said Address on behalf of this House.

Agreeably to the Order of the Day, the College Bill was read a second time.

Dr. W. W. Baldwin, seconded by Mr. Jonas Jones, moves that the House do now resolve itself into a Committee of the Whole on the College Bill.

In amendment, Mr. Samuel Casey, seconded by Mr. Robert Nichol, moves that after the word "resolve," the whole of the rest of the original motion be expunged and "this day three months" be inserted. Which was carried.

NOTE.—What the provisions of the Bill were, which was introduced in to the House of Assembly by Dr. Wm. Warren Baldwin it is difficult now to say, as no copy of it is available. It may have been, and likely was, designed to give legal effect to the desire of the late Mr. William Weekes, who, by will, had left a legacy to found "an Academy, or Public Seminary," at York. This is the more probable from the fact, that Dr. Baldwin had, during the Session of 1821, procured the passage of a Bill through the Legislature, vesting the Weekes' estate in Trustees, who were authorized to apply the legacy as directed in the will. The estate was, however, exhausted before the Trustees could act in the matter. (See page 181.)

*5th March, 1823.*—Mr. Bostwick, from the Committee appointed to wait upon His Excellency with the Address of this House, thanking him for his gracious Messages with School Report etc, reported that they had done so.

## 2.—EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, 1823.

The names of the Members of the Legislative Council who took part in its educational proceedings, are not given in its Journal for 1823. These proceedings were, however, confined to the giving of the assent of the Legislative Council to the three School Bills brought up from the House of Assembly. No measure relating to education or schools originated in the Legislative Council itself during the session.

*28th January, 1823.*—The Legislative Council met pursuant to adjournment. A deputation from the Commons House of Assembly being announced, it was admitted and brought up for the concurrence of this House a Bill intituled:—"An Act to provide for the establishment of a Public (Grammar) School in the District of Ottawa."

The deputation having withdrawn, the Bill was read the first time, and on motion made and seconded, it was ordered to be read a second time to-morrow.

*30th January, 1823.*—The House met pursuant to adjournment. Pursuant to the Order of the Day, the Bill intituled: "An Act to provide for the establishment of a Public (Grammar) School in the District of Ottawa," was read a third time, and the question being put, that the Bill do now pass, it was carried in the affirmative, whereupon the Speaker signed the same and it was by Mr. D'Arcy Boulton, the Master-in-Chancery carried down and returned to the House of Assembly.

*3rd February, 1823.*—The House met pursuant to adjournment. A deputation from the Commons House of Assembly being announced, it was admitted and brought up for the concurrence of this House a Bill intituled: "An Act granting to His Majesty a sum of money for the support of a Public (Grammar) School in the Bathurst District;" also a Bill intituled "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District."

*6th February, 1823.*—The House met pursuant to adjournment.

Pursuant to the Order of the Day, the Bill intituled "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," was read a second time, and on motion, made and seconded, the House resolved itself into a Committee of the Whole to take the same into consideration.

The House then went into Committee, the Honourable John McGill in the chair.

The Speaker having resumed the Chair, Mr. McGill reported that the Committee had taken the said Bill into consideration and had made some amendments thereto, which they recommended to the adoption of the House. Ordered, that the report be accepted.

On motion, made and seconded, it was ordered, that a Conference be requested with the Commons House of Assembly on the subject matter thereof; and a message in the following words, being signed by the Speaker, was, by Mr. D'Arcy Boulton, the Master-in-Chancery, carried down and delivered to that House, as follows:—

MR. SPEAKER :

The Honourable the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the Bill, intituled, "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," and have appointed a Committee of two Members, who will be ready to meet the Committee of the Commons House of Assembly in the joint Committee Room, for that purpose, at two o'clock p.m. to-morrow.

WM. DUMMER POWELL,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
6th February, 1823.

The Honourable and Reverend John Strachan, and the Honourable Thomas Markland, were appointed a Committee for that purpose.

Pursuant to the Order of the Day, the Bill intituled : "An Act granting to His Majesty a sum of money for the support of a Public (Grammar) School in the Bathurst District," was read a second time, and, on motion, made and seconded, the House resolved itself into a Committee of the Whole to take the same into consideration. The House then went into Committee, the Honourable George Crookshank in the chair.

The Speaker having resumed the Chair, Mr. Crookshank reported that the Committee had gone through the Bill and recommended it to the adoption of the House. Ordered, that the report be accepted, and, on motion, made and seconded, the Bill was ordered to be read a third time to-morrow.

*7th February, 1823.*—The House met pursuant to adjournment. Pursuant to the Order of the Day, the Bill intituled, "An Act for the granting to His Majesty a sum of money for the support of a Public (Grammar) School in the Bathurst District," was read a third time, and, the question being put, that the Bill do now pass, it was carried in the affirmative whereupon the Speaker signed the same.

A deputation from the Commons House of Assembly being announced, it was admitted and brought up and delivered a Message in the following words:—

MR. SPEAKER :

The Commons House of Assembly have appointed a Committee of four of its Members to confer with the Committee appointed by the Honourable the Legislative Council on the subject matter of the Bill intituled : "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District, in the joint Committee Room, at two o'clock p.m., to-morrow."

LEVIUS P. SHERWOOD,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
6th February, 1823.

The deputation having withdrawn, the said Message was read.

The Committee appointed to confer with the Committee of the Commons House of Assembly on the subject matter of the Bill intituled : "An Act granting to His Majesty a sum of money for the support of Common Schools in the Bathurst District," reported that they had done so.

*20th February, 1823.*—The House met pursuant to adjournment. A deputation from the Commons House of Assembly being announced, it was admitted, and brought up for the concurrence of this House a Bill intituled : "An Act for the relief of Teachers in Common Schools in the Niagara District."

The deputation having withdrawn, the Bill was read a first time, and, on motion, made and seconded, it was ordered to be read a second time to-morrow.

*24th February, 1823.*—The House met pursuant to adjournment. Pursuant to the Order of the Day, the Bill intituled: "An Act for relief of Teachers of Common Schools in the Niagara District," was read a second time; and, on motion, made and seconded, the House resolved itself into a Committee of the whole to take the same into consideration. The House then went into Committee, the Honourable Duncan Cameron in the chair.

The Speaker having resumed the Chair, Mr. Cameron reported that the Committee had made some progress in the Bill, and requested leave to sit again on Thursday next. Ordered, that the report be accepted and leave given accordingly.

*27th February, 1823.*—The House met pursuant to adjournment. Pursuant to the Order of the Day, the House resolved itself into a Committee of the Whole, to take into further consideration the Bill intituled, "An Act for the relief of Teachers of Common Schools in the Niagara District." The House then went into Committee, the Honourable Duncan Cameron in the chair.

The Speaker having resumed the Chair, Mr. Cameron reported that the Committee had made some further progress in the Bill and requested leave to sit again on Wednesday next. Ordered, that the report be accepted and leave given accordingly.

*28th February, 1823.*—The House met pursuant to adjournment. A message from His Excellency the Lieutenant-Governor being announced, Major Hillier, the Governor's Secretary, was admitted, who delivered to the Speaker the following Messages and papers, and having retired, the Messages were read as follows:—

P. MAITLAND.

The Lieutenant-Governor transmits to the Honourable the Legislative Council copies of such Reports of the Board of Trustees of District (Grammar) Schools, as have been received since the last session of the Legislature.

The Lieutenant-Governor transmits to the Honourable the Legislative Council, copies of such Reports of the District Boards of Education as have been received since the last session of the Legislature.

P. M.

GOVERNMENT HOUSE,

YORK, 28th February, 1823.

*6th March, 1823.*—The House met pursuant to adjournment. Pursuant to the Order of the Day, the House resolved itself into a Committee of the Whole to take into further consideration the Bill intituled: "An Act for the Relief of Teachers of Common Schools in the Niagara District." The House then went into Committee on the Bill, the Honourable Thomas Markland in the chair.

The Speaker having resumed the Chair, Mr. Markland reported that the Committee had gone through the Bill, and recommended it to the adoption of the House. Ordered, that the report be accepted, and on motion, made and seconded, it was ordered that the Bill be read a third time to-morrow.

*7th March, 1823.*—The House met pursuant to adjournment. Pursuant to the Order of the Day, the Bill intituled, "An Act for the relief of Teachers of Common Schools in the Niagara District," was read a third time; and the question being put, that it do now pass, it was carried in the affirmative, and the Speaker signed the same. It was then, by Mr. D'Arcy Boulton, the Master-in-Chancery, carried down and returned to the Commons House of Assembly.

*19th March, 1823.*—The House met pursuant to adjournment. On the Commons House of Assembly having been summoned to the Legislative Council Chamber by Black Rod, His Excellency the Lieutenant-Governor assented, in His Majesty's name, to the following, among other Bills:—

1. An Act to provide for the establishment of a Public (Grammar) School in the Ottawa District.

2. An Act for the relief of Teachers of Common Schools in the Niagara District.

3. An Act granting to His Majesty a sum of money for the support of a Public (Grammar) School in the Bathurst District."

In an Act passed on the 29th of January, 1823, providing for the establishment of Courts, etc., in the Bathurst District, it was also enacted,

That the provision made for the support of District, (Grammar,) and Common Schools . . . shall be, and are hereby, extended to the District of Bathurst, etc.



The Lieutenant-Governor then closed the Session of the Legislature with a Speech from the Throne. In it he made no reference to education or to the school legislation of the Session.

The following are the three Acts relating to Schools, passed by the Legislature of 1823.

#### 4th GEORGE IV, CHAPTER XXVII.

##### 1. AN ACT GRANTING TO HIS MAJESTY A SUM OF MONEY FOR THE SUPPORT OF A PUBLIC (GRAMMAR) SCHOOL IN THE BATHURST DISTRICT.

*Sir Peregrine Maitland, Lieutenant-Governor.*

*Passed 19th March, 1823.*

MOST GRACIOUS SOVEREIGN :

Whereas it is expedient that the like provision be made by law for the establishment of a Public School in the District of Bathurst as is extended to the other Districts of this Province ; we beseech your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled : " An Act to Repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, (1791) intituled : " An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and by the authority of the same.

That from and out of the rates and duties, raised, levied and collected or hereafter to be raised, levied and collected, to and for the Public uses of this Province. and unappropriated, there be granted annually to His Majesty, His Heirs and Successors, the sum of one hundred pounds which sum of one hundred pounds shall be appropriated, applied and disposed of in paying the salary of the teacher of the Public (Grammar) School which may be hereafter established in the said District of Bathurst ; and shall be paid by the Receiver-General of this Province, in discharge of such warrant, or warrants, as shall for that purpose be issued by the Governor, Lieutenant-Governor or person administering the Government of this Province ; and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

Preamble.  
£100 granted annually as a salary for a Teacher of a Public School in Bathurst, and shall be paid by Receiver-General and accounted for through the Lords Commissioners of His Majesty's Treasury.

#### 4th GEORGE IV, CHAPTER XXVII.

##### 2. AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A PUBLIC (GRAMMAR) SCHOOL IN THE DISTRICT OF OTTAWA.

*Sir Peregrine Maitland, Lieutenant-Governor.*

*Passed 19th March, 1823.*

MOST GRACIOUS SOVEREIGN :

Whereas it is considered expedient, for the purpose of promoting the education of the youth in the District of Ottawa, that a Public (Grammar) School should be established in that District, in like manner as Public (Grammar) Schools have by law been established in the different districts in this Province. May it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, " An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, (1791) intituled : ' An Act for making more effectual provision for the Government of the Province of Quebec in North America,' and to make further provision for the Government of the said Province," and by the authority of the same, that from and after the passing of this Act provision be made by law for the establishing a Public (Grammar) School in the said District of Ottawa.

Preamble.

A Public School to be established in Ottawa.

2. And be it further enacted by the authority aforesaid. That from and out of the rates and duties, raised, levied and collected, or hereafter to be raised, levied and collected, to and for the public uses of this Province, and unappropriated, there be granted annually to His Majesty, His Heirs and Successors, the sum of one hundred pounds; which said sum of one hundred pounds shall be appropriated and applied and disposed of in paying the salary of the Teachers of the said School which said sum of one hundred pounds shall be paid by the Receiver-General of this Province, in discharge of such warrant, or warrants, as shall for that purpose be issued by the Governor, Lieutenant-Governor, or Person Administering the Government of this Province, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

£100 granted  
to pay a  
Teacher's  
salary.

3. And be it further enacted by the authority aforesaid. That the said School shall be opened and kept in the Township of Longueuil, in the County of Prescott, at or near the place of holding the General Quarter Sessions of the Peace for the said District, at such place as the Trustees appointed, or hereafter to be appointed, or the majority of them, may think proper.

School to be  
kept in Lon-  
gueil.

4. And be it further enacted by the authority aforesaid. That the said School shall be established in like manner, and under the same rules, regulations and restrictions in every particular as are mentioned in the two several Acts of the Parliament of this Province, the one passed in the forty-seventh year of His late Majesty's reign (1807) intituled: "An Act to establish Public Schools in each and every District of this Province;" and the other passed in the fifty-ninth year of His late Majesty's reign (1820) intituled: "An Act to repeal part of, and to amend, the laws now in force for establishing Public (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same.

Under the  
same regula-  
tions as other  
public schools.

#### 4th GEORGE IV, CHAPTER XXXVI.

### 3. AN ACT FOR THE RELIEF OF TEACHERS OF COMMON SCHOOLS IN THE DISTRICT OF NIAGARA.

*Sir Peregrine Maitland, Lieutenant-Governor.*

*Passed 19th March, 1823.*

MOST GRACIOUS SOVEREIGN:

WHEREAS it appears that part of the funds advanced to the Treasurer of the Niagara District, under the authority of an Act passed in the fifty-sixth year of His late Majesty's reign, (1816), intituled: "An Act granting to His Majesty a sum of money, to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools," have been applied under the authority of the Board of Education for the District, in payment of certain contingent expenses thereof, not authorized by the said Act, or any other Act of this Province; and

Error in appli-  
cation.

Whereas in consequence thereof the sum granted by an Act passed in the sixtieth year of His late Majesty's reign, (1820), intituled: "An Act granting to His Majesty a sum of money, to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools," has been withheld from the Treasurer of the said District; for remedy whereof,

Act of 1820.

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, ( ), intituled: "An Act for making more effectual provision for the Government of the Province of Quebec in North America," and to make further provision for the Government of the said Province," and by the authority of the same,

Remedy.

That from and after the passing of this Act, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province, to issue his Warrant upon the Receiver-General, in favor of the Treasurer of the Niagara District for all such sum, or sums, of money as may appear to be in

Receiver-Gen-  
eral directed  
to make up  
deficiency.



arrears for the support of Common Schools therein, for the year one thousand eight hundred and twenty, under and by virtue of the said Act of the Legislature of this Province, made and passed in the sixtieth year of the reign of His late Majesty ; and also such sum or sums of money as may have thereafter accrued by virtue of the said Act, upon the said Treasurer accounting for the expenditure of the first sum so to be issued by the Receiver General of this Province, according to the laws in force for that purpose : Provided always,

Accounting.

That nothing in this Act contained shall extend, or be construed to extend, to repeal any part of the said Act, or any other Act of the Legislature of this Province, making the Treasurer, or any other person, or persons, accountable for the moneys placed in his or their hands by virtue of this Act.

No Act repealed.

2. And be it further enacted by the authority aforesaid, that if the Trustees of any Common School shall have omitted to make their quarterly reports, in consequence of the non-payment of their certificates in favour of school masters, it shall and may be lawful for such Trustees to make reports of such schools as shall have been regularly kept, in pursuance of the above recited Act ; and it shall and may be lawful for the Treasurer of the said District to pay to the Teachers of such school respectively, when the payments shall be approved by the Board of Education, and a certificate of good conduct shall be produced from the Trustees, such sum, or sums, of money as such Teachers would respectively have been entitled to receive, had the reports of their schools been regularly made.

Trustees may make omitted reports.

## CHAPTER XXXIX.

### MISCELLANEOUS PAPERS RELATING TO EDUCATION IN UPPER CANADA, 1823-1826.

In 1818, Mr. Edward Allen Talbot and his Father came to Upper Canada, and, having counselled with their namesake, the Hon. Thomas Talbot, founder of the Talbot Settlement, (County of Elgin,) made their home in the Township of Westminster. While there, Mr. E. A. Talbot wrote a series of papers in the form of letters on Canada, etc., which, in 1824, he republished in London, (England,) in two volumes. From the second volume, I insert the following account which he gives, (in Letter xxx,) of the state of Education in Upper Canada in 1823 : While Mr. Talbot's remarks are somewhat superficial and flippant, yet they give a good idea of how an educated observer regarded the educational and social condition of Upper Canada seventy years ago. He said :—

The inestimable advantages resulting from a well-educated and enlightened population, cannot be experienced in Canada for many years to come. The great mass of the people are at present completely ignorant even of the rudiments of the most common learning. Very few can either read or write ; and parents, who are ignorant themselves, possess so slight a relish for literature, and are so little acquainted with its advantages, that they feel scarcely any anxiety to have the minds of their children cultivated. The axiom of the great Philosopher does not seem to have obtained with the inhabitants of Canada, for they will not believe, that "knowledge is power ;" and, being convinced, that it is not in the nature of "book-learned skill" to improve the earnestness of their sons in hewing wood, or the readiness of their daughters in spinning flax, they consider it a misapplication of money to spend any sum in obtaining instruction for their offspring. Nothing can afford a stronger proof of their indifference in this respect, than the circumstance of their electing men to represent them in the Provincial Parliament, whose attainments in learning are, in many instances, exceedingly small, and sometimes do not pass beyond the horn-book. I have myself been present in the Honourable the House of Assembly, when some of the Members, on being called to be Chairmen of Committees, were under the disagreeable and humiliating necessity of requesting other members to read the Bills before the Committee ; and, then, as the different clauses were rejected or adopted, to request these, their proxies, to signify the same in the common mode of writing.



I have no acquaintance with any of these gentlemen, nor the most distant connection with their Honourable House, being only an occasional spectator of its proceedings; but I never could witness such exposure of entire incapacity as these, without blushing for the ignorance of men in stations so exalted.

As another proof of the lamentable want of information among the Canadians, I can positively assert, that during a residence of five years in the Province, I have only seen two persons with books in their hands, and one of these was consulting a medical publication for the cure of a disease under which he laboured.

Indeed, the scarcity of books in the country-parts of Canada, is nearly as great, as that of pine apples on the summit of Snowdon. I cannot easily account for the fact, that even those persons who have had the benefit of a tolerable education, should entertain such a determined dislike to all kinds of reading, as they display, by acknowledging without a blush, as many of them do, that they have never read a book through, since they left school.

Many circumstances concur to make it impracticable for the Canadians, even if they were capable, to educate their own children.

In consequence of the difficulty of procuring labour, which I have already mentioned, the farmer is not only compelled to devote himself entirely to the cultivation of his ground, but also to call in the aid of his sons, as soon as they are able to assist him.

Boys of seven or eight years old are put to work, in Canada, and are kept at it during their lives, unless they acquire those habits of indolence which, I have before observed, are so general, as to preclude the devotion of much care and attention to any honest or equitable sort of trade. Oxen are so well trained, and horses in general so devoid of mettle, that a little child may lead them; and a boy ten years old is therefore nearly as serviceable to his father, as one that is eighteen.

When the parent is sufficiently comfortable to dispense with the constant labour of his son, schools are perhaps too remote from his house to render them of any value to his children. Great are the advantages to be derived from a residence in the midst of a condensed and well-organised state of society, and numerous are the evils which result from a scanty population scattered over a wide and cheerless wilderness. While the Province was in its infancy, the Supreme Government evinced a disposition to promote the happiness of the settlers, by calling the attention of General Simcoe, the first Lieutenant-Governor, to the establishment of schools in various parts of the country. This appears from a letter addressed by the Duke of Portland to Governor Simcoe, which is dated 1796.\* It is said, the General endeavoured to comply with the wishes of his Majesty's Government. In the session of 1797, the Provincial Legislature presented a memorial to General Simcoe, imploring his Majesty to appropriate a certain portion of waste lands of the crown, to the purpose of raising a fund for the institution and support of a respectable Grammar-School in each District. In reply to this memorial, the Duke of Portland, at that time one of the principal Secretaries of State, informed the Legislature, that His Majesty was pleased to accede to their petitions.† The grant was accordingly made; but as land was previously so easy to be procured without purchase, the demand for the crown-land has been very small, and the good effects, which were expected to result from the royal bounty, have never yet been realized.

For many years, there were only two schools of any note in the Province: The one at Kingston [Cornwall], conducted by the Honourable and Rev. Dr. Strachan, a Scotchman of great abilities; and the other at Niagara, under the direction of Mr. R. Cockrel, an Englishman, who is accounted a good mathematician.

In 1807, a Provincial statute was enacted to establish a Seminary in every District, in which the Classics and practical Mathematics were required to be taught. A number of Trustees, nominated by the Lieutenant-Governor, were to have the appointment of the Teachers, each of whom was to enjoy a salary of £100 per annum.

These schools have been now for some time established; and we may hope, that the country will derive considerable advantage from the knowledge, which they will thus more generally diffuse. The low and inadequate salary, however, is a subject of much regret. For few men, whose acquirements would enable them to fulfil, with credit to themselves and advantage to their pupils, the important offices of classical and mathematical Tutors, can be found willing to settle in the wilds of Upper Canada, on the salary of £100,—a sum, which, I know from experience, is not more than sufficient to maintain a single young man in this country. In 1816, another law was passed for the establishment of Common Schools in every Township; but this Bill contains a clause, which in a great degree renders the whole measure abortive. It declares, there shall be a School in every town, village or place in which twenty pupils can be collected. To each of these schools £25 was to be appropriated.

\* Mr. Talbot here misstates the case; it was Governor Simcoe who first moved in this matter.

† These documents will be found on pages 16-25 *ante*.

Now, admitting the population at that time to amount to 100,000, one-fifth of whom, may be supposed to be children fit for school, the annual sum of £25,000 would be required to carry the scheme into effect, which is at least three times the amount of what the provincial revenue was at that time.

The fact is, the Bill has altogether failed in its design. There was another clause, providing that the salary proposed should only be given to such teachers as were British subjects ; which created so much jealousy among the people, that many of them preferred having no schools at all, to having them under the sole direction of Europeans, or Canadians.

The opinions thus expressed by Mr. Talbot in regard to the Common School legislation of 1816 are substantially the same as those contained in the article written in 1819 on the *History of Education in Upper Canada*, given on pages 153-159. The writer of that "History" remarked :—

Though the Legislature acted wisely in establishing District, (Grammar) Schools, as being most beneficial to the public, yet that Body never lost sight of the propriety of extending the benefits of instruction to the lower orders throughout the Province. Finding the revenue greatly increased in 1816, a law was passed, (containing many excellent provisions), for establishing and supporting Common Schools in every Village or Township in the Province.

This Bill was very much hurt by the insertion of a clause that there should be a school in every Town, Village or place where twenty scholars could be collected. These loose words admit of a latitude of interpretation, which could not have been intended, and multiply schools to an extent which it would require three times the Provincial revenue to support.

#### SCHOOLS IN THE TOWN OF NIAGARA IN 1820-1823.

Miss Carnochan, of Niagara, sends me the following particulars :—

The Reverend Thomas Creen came to Niagara in 1820, and opened a private school ; in 1824, he became Secretary to the Board of Common School Trustees ; his school was in operation in 1826, etc.

In the *Niagara Gleaner* of the 20th of June, 1823, the following item appeared :—At the Niagara District Grammar School examination, the following Trustees were present and signified their approval of the manner in which the different branches were taught, the increasing number of pupils, and the progress made, viz. : The Honourable William Dickson, the Reverend Robert Addison, the Reverend William Leeming, of Chippewa, and Messieurs Robert Kerr, J. Muirhead and Ralph Clench.

#### GENERAL BOARD OF EDUCATION FOR UPPER CANADA, 1824.

In 1822, Sir Peregrine Maitland, Lieutenant-Governor, wrote to Earl Bathurst, Colonial Secretary, in which he said :—

Much good might be effected by the organization of a General System of Education, an object to which might be applied the proceeds of the sales of some portion of the lands set aside under the title of "School Reserves," etc.

To this suggestion a favourable reply from Earl Bathurst was received. This reply was communicated to Sir Peregrine Maitland's Executive Council by Mr. Secretary G. Hillier on the 30th of May, 1823, as given on page 180.

Under the authority of the Act which follows, Sir Peregrine Maitland appointed a General Board of Education for the Province, the Members which were :—

The Honourable and Reverend John Strachan, D.D., Chairman.  
 The Honourable Joseph Wells, M. L. C.  
 The Honourable George H. Markland, M. L. C.  
 The Reverend Robert Addison.  
 John Beverley Robinson, Esquire, Attorney-General.  
 Thomas Ridout, Esquire, Surveyor-General.



The attention which the Executive Council gave to the matter referred to it, may be gathered from the character of the School Extension Act which was passed by the Legislature of Upper Canada in the session of 1823-24 and which was assented to early in 1824.

There being no records preserved of the proceedings of the Legislature of Upper Canada for that Session, it is difficult to say what was the tone and temper of the discussion in either House in regard to the measure finally passed, as evinced by the motions which may have been made and agreed to, or rejected. The Act provides for the permanency and extension of previous Common School Acts. It also gives effect to the prayers of petitions for aid in behalf of Sunday Schools, presented to the House of Assembly in 1821 and 1823, and makes provision for the first time, under the authority of the Legislature, for the education of the Indians of Upper Canada. The Act itself is as follows, taken from the Consolidated Statutes of 1841 :—

#### 4th YEAR OF GEORGE IV., CHAPTER VIII.

AN ACT TO MAKE PERMANENT AND EXTEND THE PROVISIONS OF THE LAWS NOW IN FORCE FOR THE ESTABLISHMENT AND REGULATION OF COMMON SCHOOLS THROUGHOUT THIS PROVINCE, AND FOR GRANTING TO HIS MAJESTY A FURTHER SUM OF MONEY TO PROMOTE AND ENCOURAGE EDUCATION WITHIN THE SAME.

*Sir Peregrine Maitland, Lieutenant-Governor.*

*Passed, January 19th, 1824.*

MOST GRACIOUS SOVEREIGN :—

Whereas it would greatly tend to advance the happiness of society to disseminate moral and religious instruction among the people and to render permanent the laws now in force relating to Common Schools ; We, your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beseech Your Majesty that it may be enacted, and be it, therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled 'An Act for making more effectual provisions for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province,' " and by the authority of the same,

I. That, for the benefit of all classes of His Majesty's subjects and for the encouragement of Sunday schools and for affording the means of moral and religious instruction to the more indigent and remote settlements in the several districts throughout this Province, there shall be annually paid, in addition to the sum now by law directed to be paid for the use and benefit of Common Schools, the further sum of one hundred and fifty pounds, which said sum of one hundred and fifty pounds shall be appropriated and applied in manner and form as is hereafter directed.

£150 per annum for Sunday Schools.

II. And be it further enacted by the authority aforesaid : That the moneys hereby granted shall be at the disposal of the general body that is or may be appointed by the Governor, Lieutenant-Governor, or person administering the government of this Province, for the superintendence of education within the same, to be by them laid out and expended for the purchasing of books and tracts designed to afford moral and religious instruction, which said books and tracts, when so purchased, shall be distributed by the said General Board in equal proportion amongst the several District Boards of Education throughout this Province.

Moneys granted to be expended by the General Board of Education. Books for moral and religious instruction.



III. And be it further enacted, by the authority aforesaid, That it shall and may be lawful for the several District Boards of Education to make and order, at their discretion, a distribution of such books and tracts for the use and encouragement of Sunday schools, and to the benefit of the more indigent and remote settlements in their respective Districts. Duty of District Boards of Education.

IV. And be it further enacted, by the authority aforesaid, That the eighth clause of an Act passed in the first year of the reign of His present Majesty (1820), intituled "An Act to amend and continue, under certain modifications, an Act passed in the fifty-sixth year of His Majesty's reign (1816), intituled 'An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the regulation of the said Common Schools,' " be, and the same is hereby repealed. 8th clause of the Act of 1816 repealed.

V. And be it further enacted, by the authority aforesaid, that the provisions of the above recited Act, and so much of an Act passed in the fifty-sixth year of His late Majesty's reign (1816), intituled "An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the regulation of the said Common Schools," as is now in force, shall be, and the same is hereby declared to extend to all schools that are now or may be hereafter established and kept among the Indians who shall be resident within the limits of any organized county or township within this Province, excepting such schools as shall or may be otherwise provided for ; provided, nevertheless, that in all reports that may be made to the Board of Education before the first day of June next, after the passing of this Act, from any school kept for the instruction and education of the children of the Indians, it shall not be necessary to certify to such Board that the Trustees of the school so reporting were chosen on the first day of June last, any law or usage to the contrary, in any wise, notwithstanding. Acts of 1816 and 1820 to extend to the Indians. Proviso.

VI. And be it further enacted, etc., That every teacher of a Common School before he shall be entitled to receive any portion of public money, shall be examined by the Board of Education in the District in which he shall have taught or is about to teach a Common School, or shall obtain a certificate from at least one member of such Board, certifying his ability and fitness to teach the same due regard at all times being had to the degree of education wanting, or to the branches necessary to be taught in the township, village or place in which such teacher hath undertaken, or is about to undertake, to teach a Common School. Qualifications of teachers to be tested before payment.

VII. And be it further enacted, etc., That the moneys hereby granted to His Majesty shall be paid by the Receiver-General of this Province in discharge of such warrant or warrants as shall, for the purpose herein set forth be issued by the Governor, Lieutenant-Governor or person administering the government of this Province for the time being, and shall be accounted for by the Receiver-General to His Majesty, his heirs and successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, his heirs and successors shall be graciously pleased to direct. How grants are to be paid and accounted for.

## TRUSTEES OF THE DISTRICT (GRAMMAR) SCHOOLS IN UPPER CANADA, 1824.

### *Eastern District.*

Rev. Salter J. Mountain,  
Hon. Neil McLean, M. L. C.  
Samuel Anderson,  
Joseph Anderson,  
John Crysler,  
Alexander McMillan. } Esquires

### *Ottawa District.*

Alexander McDonell,  
George Hamilton,  
Charles Sheriff,  
R. P. Hotham,  
John Kearns. } Esquires.

### *Johnstown District.*

Rev. John Blakey,  
Levius P. Sherwood,  
Elnathan Hubbell,  
J. Jones,  
E. Bottum. } Esquire.

### *Bathurst District.*

Rev M. Harris,  
James H. Powell,  
George Thew Burke,  
William Marshall,  
William Morris,  
Henry Graham. } Esquires.

*Midland District.*

Alexander Fisher, Allan McLean, Thomas Markland, Peter Smith, Thomas Dorland.	}	Esquires.
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*Newcastle District.*

Walker Boswell, Zaccheus Burnham, Asa Burnham, Robert Henry, Elias Jones, John Peters, Leonard Soper, Elias Smith, John Bleeker.	}	Esquires.
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*Home District.*

Hon. Samuel Smith, M.L.C. D'Arcy Boulton, Senior, John Small. Duncan Cameron, Thomas Ridout.	}	Esquire
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*Gore District.*

James Crooks, Matthew Crooks, James Racey, John Willson, William Ellis.	}	Esquires.
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*Niagara District.*

Hon. William Dickson, M.L.C., Hon. William Claus, M.L.C., Rev. Robert Addison, Rev. William Leeming, Richard Leonard, Thomas Cummings, Robert Kerr, James Muirhead, Ralph Clench.	}	Esquires.
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*London District.*

Col. Joseph Ryerson, John Harris, John Bostwick, James Mitchell, John Rolph, Mahlon Burwell.	}	Esquires.
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*Western District.*

Hon. James Baby, M.L.C., Hon. Angus McIntosh, M.L.C., Rev. R. Pollard, Alexander Duff, Esquire.		
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## DISTRICT BOARDS OF EDUCATION.

*Eastern District.*

Donald McDonald, Archibald McLean.	}	Esquires.
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*Ottawa District.*

John McDonell, Esquire.		
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*Johnstown District.*

Rev. John Blakey, J. Jones, Elnathan Hubbell, Levius P. Sherwood, E. Bottum, Joel Stone.	}	Esquires.
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*Bathurst District.*

Rev M. Harris, William Morris, Anthony Leslie, Alexander McMillan, George H. Read.	}	Esquires
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*Home District.*

The members of the General Board.		
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*Gore District.*

Elijah Secord, Daniel O'Reilly.	}	Esquires.
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*London District.*

James Mitchell, John Rolph, J. B. Askin, George C. Salmon, John Backhose.	}	Esquires.
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NOTE.—In the four other Districts no Local Board is reported.

## CHAPTER XL.

## EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1825.

Lieutenant-Governor Sir Peregrine Maitland opened the first session of the Ninth Parliament of Upper Canada on the 13th of January, 1825, with the usual Speech from the Throne. In it he made no reference to either education or schools.

## 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1825.

Forty-three members constituted the House of Assembly in this Ninth Parliament, representing twenty-five constituencies. The most noted of the members elected were Messieurs William Morris, John Rolph, George S. Boulton, Marshall S. Bidwell, Peter Perry, Jonas Jones and John B. Robinson. Mr. John Willson, of Wentworth, was elected Speaker. Of the forty-three members elected only ten took part in the educational proceedings of the session, viz.: Messieurs Hugh C. Thomson, Duncan Cameron, Thomas Horner, William Morris, Peter Perry, David Jones, Donald McDonell, Marshall S. Bidwell, James Wilson and James Atkinson.

Two School Bills were passed by the House of Assembly, viz.: a Bill "To incorporate the Trustees of the Waterloo School House," and a Bill to make perpetual the Bathurst Common School Act of 1823, (4th George iv., chapter xxvii). These two Bills were sent up for the concurrence of the Honourable the Legislative Council. The Waterloo School House Bill was not returned from the Legislative Council, but that relating to the Bathurst Common School was concurred by the Council and returned to the House of Assembly, where it was apparently dropped, as neither of these Bills was assented to by the Lieutenant-Governor.

*18th January, 1825.*—The Petition of Messieurs Peter Knight and John King, and others, praying for an Act to incorporate certain persons as Trustees of the Waterloo School House, in the Township of Kingston, was read.

Mr. Hugh C. Thomson, of Frontenac, gives notice that he will on to-morrow move for leave to bring in a Bill, founded on the Petition of Mr. Peter Knight and others, to incorporate the Trustees of the Waterloo School House, in the Township of Kingston.

*19th January, 1825.*—Agreeably to notice, Mr. Hugh C. Thomson, of Frontenac, seconded by Mr. James Atkinson, moves for leave to bring in a Bill to incorporate the Trustees of the Waterloo School House, in the Township of Kingston, which was granted, and the Bill was read a first time.

Mr. Hugh C. Thomson, of Frontenac, seconded by Mr. Duncan Cameron, moves that the Waterloo School House Bill be read a second time to-morrow. Which was ordered.

*20th January, 1825.*—Agreeably to the Order of the Day, the Waterloo School House Trustees' Bill was read the second time.

Mr. Hugh C. Thomson, of Frontenac, seconded by Mr. Marshall S. Bidwell, moves that the House go into Committee on the Waterloo School House Bill, which was carried, and Mr. Horner was called to the chair.



The House having resumed, Mr. Horner reported progress, and obtained leave to sit again this day fortnight.

*3rd February, 1825.*—Mr. William Morris gives notice that he will on to-morrow move for leave to bring a Bill to make perpetual the Bathurst District Common School Bill.

*4th February, 1825.*—Agreeably to the Order of the Day, the House went into Committee on the Waterloo School House Trustees Bill. Mr. Horner was called to the chair.

The House having resumed, Mr. Horner reported the Bill as amended. The report was ordered to be received.

Mr. Hugh C. Thomson, of Frontenac, seconded by Mr. Peter Perry, moves that the Waterloo School House Bill be engrossed and read a third time on Wednesday next, which was ordered.

*7th February, 1825.*—Agreeably to the Order of the Day, Mr. William Morris, seconded by Mr. David Jones, moves for leave to bring in a Bill to make permanent the Bathurst District Common School Law (4th George iv., Chapter xxvii.), which was granted, and the Bill was read a first time.

Mr. William Morris, seconded by Mr. Donald McDonell, of Prescott, moves that the Bathurst District Common School perpetuation Bill be read a second time on Friday next, which was ordered.

*9th February, 1825.*—Agreeably to the Order of the Day, the Waterloo School House Bill was read the third time.

Mr. Marshall Bidwell, seconded by Mr. James Wilson, moves that the Bill do now pass and that it be intitled: "An Act to Incorporate Sundry Persons under the style and title of the Trustees of the Waterloo School House, in the Township of Kingston," which was carried, and the Bill was signed by the Speaker.

Messieurs Hugh C. Thomson and Marshall S. Bidwell, were ordered by the Speaker to carry up to the Honourable, the Legislative Council, the Bill, intituled: "An Act to Incorporate "Sundry Persons, under the style and title of the Trustees of the Waterloo School House, in "the Township of Kingston" and to request their concurrence thereto.

*3rd March, 1825.*—Agreeably to the Order of the Day, the Bathurst perpetuation Common School Bill was read the second time.

Mr. William Morris, seconded by Mr. Donald McDonell, moves that the House do now resolve itself into Committee of the Whole on the Bathurst School Bill, which was carried, and Mr. Thomas Coleman was called to the chair.

The House having resumed, Mr. Coleman reported the Bill as amended. The report was ordered to be received.

Mr. William Morris, seconded by Mr. Donald McDonell, moves that the said Bathurst Common School Bill be engrossed and read a third time on Monday next. Which was ordered.

*7th March, 1825.*—Agreeably to the Order of the Day, the Bathurst Common School Bill was read the third time.

Mr. Morris, seconded by Mr. McDonell, moves that the said Bill do now pass, and that it be intituled: "An Act to make perpetual an Act passed in the fourth year of His present Majesty's reign (1824), intituled: 'An Act granting to His Majesty a sum of money for the purposes therein mentioned,'" which was carried, and the Bill was signed by the Speaker.

Messieurs William Morris and David Jones were ordered by the Speaker to carry up to the Honourable the Legislative Council the Bill intituled "An Act to make perpetual an Act passed in the fourth year of His present Majesty's reign (1824), intituled 'An Act granting to His Majesty a sum of money for the purposes therein mentioned,'" and to request their concurrence thereto.

*8th April, 1825.*—Mr. D'Arcy Boulton, Master-in-Chancery, brought down from the Honourable the Legislative Council the Bill intituled "An Act to make perpetual an Act passed in the fourth year of His present Majesty's reign (1824), intituled 'An Act granting to His Majesty a sum of money for the purposes therein mentioned,'" [i.e., for Common Schools in the County of Bathurst], which they had passed without amendment, and withdrew.

No further action, in regard to this Bill, appears to have been taken by the House of Assembly during the session. Why, does not appear in the Journal of the session.

## 2. LEGISLATIVE COUNCIL PROCEEDINGS, 1825.

There being no record of any proceedings of the Legislative Council for this session of the Legislature, (1st session of 9th Parliament, 1825,) either in the Parliamentary Library at Ottawa, or Toronto, I can give no account of its action in educational matters, beyond what is mentioned in the last day's proceedings of the House of Assembly.

On the 13th of April, 1825, the Lieutenant-Governor, Sir Peregrine Maitland, prorogued the Legislature. He made no reference to schools or education in his closing Speech from the Throne.

### PRIVATE SCHOOLS IN KINGSTON IN 1825 AND 1826.

Mr. A. S. Shaw, School Trustee, Kingston, writes, and says:—

Two schools were opened for young ladies in February, 1825, by Mr. and Mrs. Twigg, and Miss Greenland. Mr. Andrew Balfour, in 1826, opened a private school to teach classics, at one pound ten shillings (\$6), per quarter; mathematics, at one pound (\$4); and arithmetic, at fifteen shillings (\$3).

### THE FIRST SCHOOLS IN BRANTFORD, 1826.

In his report to the Board of School Trustees, Brantford, dated the 20th of February, 1836, Dr. M. J. Kelly, the Public School Inspector, thus gives the history of the early establishment of schools in the City of Brantford.

In its early days Brantford seems to have possessed no organized system of public instruction. A remote hamlet of the old Gore District, nestled on the banks of the Grand River and surrounded by the red men, it possessed few advantages beyond those of trade with the Indians, and such as the navigation of those days afforded. Ancaster and Hamilton were the favored places. Although the schoolmaster was abroad, his presence was fitful and his stay usually short.

The first school in what is now the City of Brantford was held in a two storey frame building on the Market Square, and which served for town hall, court room, meeting-house and schoolhouse. This was about the year 1826. Here the fathers of Aldermen Read and Potts were wont to cultivate letters and train the young. Later, a school was opened in the East Ward, where, among others, Mr. Thomas James taught successfully, and another on Nelson street, in the Queen's Ward, where Mr. Wellesley Johnstone, the late Mr. Orpheus Robinson, I believe, and others presided as teachers.

### SCHOOLS IN WEST GWILLIMBURY, 1824-26.

Mr. A. F. Hunter, M.A., Editor and publisher of the *Barrie Examiner*, had written in his newspaper a series of sketches of the "History of Simcoe County." In chapter thirteen, which he has kindly transcribed for me, he says:—

About the year 1824 those living in the "Scotch Settlement" of West Gwillimbury united to secure instruction for their children, and built a log cabin to serve as a schoolhouse, on lot number eight, concession six of the township. It also served as a place of worship. Shortly after its erection, the Lieutenant-Governor, Sir Peregrine Maitland visited West Gwillimbury and came to this, the first schoolhouse there. Some of the young scholars then in attendance never forgot the Governor's visit and his kind words to them.

Who the first teacher was is not recorded; but, in 1826, the settlers obtained the services of Mr. John Carruthers, a tall, spare Scotchman, who had come from Scotland during the previous summer. His salary as teacher was paid directly as fees by the parents of his pupils—there being then no provision by the Government for the payment of teachers, or no official regulations prescribed for the government of common schools, beyond the Act itself.

Among those who received their first instruction in school from Mr. Carruthers was Mr. Thomas D. McConkey, afterwards Member for the County, and subsequently its Sheriff.\*

Mr. Carruthers taught for two or three years in the "Scotch Settlement," west of Bradford, and in 1832 was appointed as catechist and exhorter by the Presbytery of York.

## CHAPTER XLI.

### EXCHANGE OF THE ORIGINAL UNIVERSITY LANDS FOR CROWN RESERVES, 1822-1827.

The Rev. Dr. Strachan was one of those active public men, who, early in his day, had earned the right to be heard in Provincial affairs. He was, therefore, soon placed in civil positions of importance and influence, apart from his clerical rank as Rector of York, (1812).

In 1815, he was, (as stated by Rev. Dr. Scadding, in his *Toronto of Old* page 164,) appointed an honorary Member of the Executive Council of Upper Canada.

In 1817-18, he was, (as Mr. Charles Lindsay mentions in his *Life of Mr. W. L. Mackenzie*, volume I., page 158,) promoted to be a full Member of the Executive Council of the Province.

Bishop Bethune states (in his *Memoir of Bishop Strachan*, page 78) that Dr. Strachan was appointed to be a Member of the Legislative Council of Upper Canada, in 1820.

In 1823, as intimated by Lieutenant-Governor, Maitland in a letter written by Mr. Secretary Hillier to the Executive Council, dated May 12th, 1823, Dr. Strachan was appointed President of the General Board of Education for Upper Canada, and, as such, was practically the Superintendent of Education for the Province. (This office Dr. Strachan held until the Board ceased to exist in 1832).

In each of these positions, Dr. Strachan would naturally become an influential adviser of the Lieutenant-Governor for the time being. And so he was, while he occupied these positions. Even after he had resigned them, and devoted himself to the discharge of his high office as Bishop of Toronto, he exercised an influence in public affairs.†

\* Sheriff McConkey was an old and valued friend of the Editor of this Documentary History. Mr. Hunter, in one of his sketches, thus refers to him:—"With unfailing energy he built up a large business, and soon amassed considerable wealth. He entered the field of politics and municipal life with as much energy as characterized his business habits. He was elected to the first town council of Barrie, and was Reeve of the town in 1855, and again in 1859 to 1863, both years inclusive. In 1860 and 1861 he was Warden of the County. In 1863 he contested the North Riding of Simcoe against Mr. Angus Morrison, and was successful. He took a leading part and was mainly instrumental in founding the *Examiner* newspaper in 1863 and January, 1864. In the historical debates on Confederation he took a prominent part, and by his liberal attitude on the questions of the day he gained the respect of all political parties. At the general elections of 1867 he was returned by acclamation. In 1875 he was appointed Sheriff of Simcoe County. For nearly twenty years previously to this he had been a Justice of the Peace."

† Mr. McMullen, in his *History of Canada*, volume one, page 445, thus speaks of Dr. Strachan's retirement from these offices:—"In 1836, he resigned his seat in the Executive Council; and, in 1840, also retired from the Legislative Council, and disappeared altogether from political life, in which he had been a conspicuous actor for twenty-two years. . . . He commenced life by ruling boys; he finished it by ruling men. . . . For the ensuing twenty-seven years of his life, he was simply the blameless Christian Bishop of his large diocese; and, on the second of November, 1867, finally crossed that bourne 'whence no traveller returns,' in the eighty-ninth year of his age."



As a member of the Executive and Legislative Councils, his influence was chiefly directed to the promotion of such schools as would in time become feeders to the University, which he laboured hard to have established in Upper Canada. As to the steps which he took to accomplish this object, he narrates them on the occasion of the opening of King's College on the 8th of June, 1843, as follows:— In his address on that occasion, he thus referred to the proceedings of the Government of Sir Peregrine Maitland, in 1822-23, in regard to the proposed University of Upper Canada:—

In 1822, His Excellency, Sir Peregrine Maitland, invited the attention of His Majesty's Government to the unproductive state of the school lands, and obtained leave to establish a Board for the general superintendence of education throughout the Province, and to place at its disposal, for the support of new Grammar Schools, where they might be wanted, a portion of the reserved lands, retaining a sufficient endowment for the University. The duties assigned to the Board were various and important. All the schools in the colony were placed under its care, and the President was required to make occasional visits to the different Districts, in order to ascertain on the spot the actual state of the Common and District (Grammar) Schools; to correspond with the local authorities respecting education in their respective vicinities; to recommend proper school books, and thus introduce uniformity of system throughout the whole country. During its short continuance, the Board was most active and useful; but the colony increased so rapidly in wealth and population, under the administration of that excellent and amiable Governor, Sir Peregrine Maitland, that the want of a University became every day more evident; and yet, after it was felt almost universally to be required, even in the opinion of the most indifferent, there was no prospect of a productive endowment. We were greatly discouraged by observing that even the Board of Education could not, with the most unremitting exertions, dispose of their lands at any reasonable price; for so long as the Government continued to confer grants gratuitously on all applicants capable of becoming useful settlers, there were few or no purchasers.

The cry, however, for the University, became daily more urgent, and the more respectable inhabitants very justly complained that there was not, in either Province, an English Seminary above the rank of a good school at which a liberal education could be obtained. And thus the youth of more than three hundred thousand British subjects had no opportunity of receiving instruction in the higher branches of knowledge.

To the necessity of supplying this deficiency, the attention of the Provincial Government was, in 1823, most anxiously directed, and as an available endowment was the great desideratum, a method of securing one in a very short time was happily discovered. From the first settlement of the Province, two-sevenths of all the lands in the settled Townships had been reserved—one for the maintenance of the Protestant Clergy, called Clergy Reserves—the other still remained, for special purposes, at the disposal of the Government, and were called Crown Reserves. These latter being still in the Crown, had become in many places very valuable, from the settlements around them, and, if brought into the market, would command reasonable prices, much more than the lands which had been originally appropriated for the District (Grammar) Schools and University, which had been carelessly selected, and continued, from their remoteness, almost unsaleable. Now, to secure a competent endowment for a University, it was submitted, by Sir Peregrine Maitland to His Majesty's Government to exchange a portion of the School lands for a like quantity of the Crown Reserves. For the mere purpose of granting lots to settlers, the School lands were as useful to the Government as the Crown Reserves; but such an exchange, if it could be effected, would place at His Excellency's disposal an endowment which might be made almost immediately available. After examining the proposal Sir Peregrine Maitland gave it his cordial approbation; but not deeming it within his power to make the exchange without special instructions, he determined to refer the matter to the King's Government, and at the same time to apply for a Royal Charter for establishing the University.—(*Proceedings at the Opening of King's College, etc., Pages 36-38.*)

Sir George Arthur, in a Despatch to the Marquis of Normanby, Colonial Secretary, dated, Toronto, 8th of June, 1839, thus speaks of these educational proceedings in Upper Canada in 1823. After referring to the passage of Grammar and Public School Acts of 1807, 1808, 1816 and 1820, he says:—

Things appear to have remained in much the same state in regard to the provision for education until 1823 about which period the Secretary of State, (Earl Bathurst,) authorized the formation of a General Board of Education, for the management of the lands set apart for the purposes of education.

Under the auspices of this Board, the question of establishing the proposed University had been brought forward ; and it being determined, to effect, if possible, that object, as a preliminary step, a Royal Charter, was applied for and granted.

In addition to this mark of favour, as the remote situation of the school townships rendered the land thereof of comparatively little value, the King munificently resumed about 225,944 acres out of them, alienating as an equivalent, to the Corporation of the University, the like quantity of Crown Reserves, mostly under lease, in old settled Townships, where the lands bore a great value.

The project of the exchange of the original unproductive University lands for the more valuable Crown Reserves, having, as Dr. Strachan states, commended itself to the judgment of Sir Peregrine Maitland, he applied to His Majesty's Government in England for permission to make the desired exchange, in the following despatch, dated " York, Upper Canada, 19th December, 1825 :—"

The occurrences of every year in this Province bring more forcibly before me the incalculable importance of the establishment of an University. Education, it is evident, must have an ascendancy to a certain extent in every country, and, to provide for that education being received under circumstances that must produce a common attachment to our constitution and a common feeling of respect and affection for our ecclesiastical establishment, is an object so evidently desirable that I need not press it upon Your Lordship's attention.

Your Lordship is aware that about 450,000 acres of land have been set apart for a provision for this object ; but some of these lands, though they possess the advantage of being in large blocks, lie in tracts at present remote from settlements, and a considerable portion of them is not of the first quality.

It has occurred to me that, if Your Lordship saw fit to allow that an equal quantity of the best of these lands were exchanged for that portion of the Crown Reserves which remains to the Government, as being under lease, the latter could be almost immediately disposed of at an average price of not less than ten shillings per acre. There are about 200,000 acres of Crown Reserves at present occupied, and a sum could thus be procured that would admit of the immediate establishment of an University on a scale that would render it effective.

It was not until the 31st of March, 1827, that a formal reply to this despatch of Sir Peregrine Maitland was written, although the assent of the Home Government to his proposal was evidently understood by the Provincial Government. In the reply, the royal assent was given to the exchange, and it was accordingly made.

In a Report of Commissioners appointed by Lord Elgin, Governor-General, in July, 1848, to enquire into the affairs of King's College, they state that :—

The Crown Reserves above alluded to were estimated by His Excellency, Sir Peregrine Maitland, at 200,000 acres and worth, on the average ten shillings per acre. The Rev. Dr. Strachan, in the following year, 1826, estimated these Reserves at 229,000 acres, and worth " ten shillings Provincial Currency per acre." According to the Deed of Endowment of the 3rd of January, 1828, the quantity of land conveyed to the University from the Crown Reserves was 225,944 acres ; which, however, by certain errors of measurement and prior alienations which were subsequently discovered, was reduced to 223,538½ acres. The Crown Reserves thus converted into the University endowment consisted of lands situate in various parts of Upper Canada, in actual, or nominal, occupation, under lease, at rate of rental fixed by a certain scale established by the Provincial Government, and a large proportion of the lots were in an improved, or cultivated, state. The following statement of the quantities in the respective districts will sufficiently indicate the value of these lands, so far as their location is concerned :—

In the Eastern District there were.....	4,350 acres.
" Ottawa " " .....	3,390 "
" Johnstown " " .....	13,342 "
" Bathurst " " .....	1,868 "
" Midland " " .....	30,628 "
" Newcastle " " .....	36,729 "
" Home " " .....	54,048 " should be 54,053.
" Gore " " .....	39,146 "
" Niagara " " .....	5,137 "
" London " " .....	34,481 " should be 34,489.
" Western " " .....	2,825 "

Total..... 225,944 acres ; should be 225,957.

—Report of the Commissioners, pages 16 and 17.



## CHAPTER XLII.

## EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1826-27.

On the 5th of December, 1826, Sir Peregrine Maitland, the Lieutenant-Governor opened the third session of the Ninth Parliament of Upper Canada with a Speech from the Throne, but made no reference in it to either education or schools. The educational proceedings of the House of Assembly were of little public importance; those of the Legislative Council were of even less importance. They chiefly related to local matters. A petition from the Reverend Thaddeus Osgoode,\* asking for aid for Indian schools called forth an interesting Report from a Committee of the House of Assembly, of which the Honourable John B. Robinson, Attorney-General was Chairman.

*19th December, 1826.*—Mr. Attorney-General Robinson, seconded by Mr. William Thompson, moves for leave to bring up the Petition of the Reverend Thaddeus Osgoode, Agent for a Society formed for promoting education and industry in Upper Canada.

*21st December, 1826.*—Agreeably to the Order of the Day, the Petition of the Reverend Thaddeus Osgoode, praying for legislative aid in establishing schools among the Indians and in the destitute settlements of this Province was read.

Mr. William Thompson, seconded by Mr. William Morris, moves that the Petition of the Reverend Thaddeus Osgoode, be referred to Messieurs Hugh C. Thomson, John Rolph, Francis L. Walsh, and Edward McBride, with leave to report by Bill, or otherwise. Which was ordered.

*20th December, 1826.*—Mr. Donald McDonell, seconded by Mr. Jonas Jones, moves for leave to bring up the Petition of the Reverend John McLaurin, a Member of the Established Church of Scotland, which was granted, and the Petition brought up.

*22nd December, 1826.*—Agreeably to the Order of the Day, the Petition of the Reverend John McLaurin, praying that a Bill may be passed authorizing him to grant to trustees, and their successors, one acre of land for the site of a District (Grammar) School house in the District of Ottawa, was read.

Mr. Donald McDonell, seconded by Mr. Thomas Coleman, moves that the petition of the Reverend John McLaurin be referred to a Select Committee to be composed of Messieurs Hamilton, Walker and Alexander McDonell, with power to report thereon by Bill or otherwise. Which was ordered.

Mr. Hugh C. Thomson, seconded by Mr. Peter Perry, moves for leave to bring up the petition of James Atkinson, Esquire, of the Town of Kingston, which was granted, and the petition brought up.

*26th December, 1826.*—Agreeably to the Order of the Day, the petition of James Atkinson, of the Town of Kingston, Esquire, praying for authority to vest in trustees and their successors in office, a certain piece of land in the town of Waterloo, in the Midland District for school purposes, was read.

Mr. Hugh C. Thomson, seconded by Mr. Peter Perry, moves that the Petition of James Atkinson, Esquire, be referred to Messieurs Donald McDonell and Zaccheus Burnham, to report thereon by Bill or otherwise. Which was ordered.

*27th December, 1827.*—Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves for leave to bring up the Petition of sundry inhabitants of the Counties of Lennox and Addington, which was granted and the Petition brought up.

*29th December, 1826.*—Agreeably to the Order of the Day, the Petition of sundry inhabitants of the incorporated Counties of Lennox and Addington, praying that certain persons may be incorporated for school purposes in the Village of Bath, was read.

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\* For reference to the Reverend Thaddeus Osgoode see note on page 91, *ante*.



Mr. Marshall S. Bidwell, seconded by Mr. Hugh C. Thomson, moves that the petition of sundry inhabitants of the Counties of Lennox and Addington be referred to a Select Committee consisting of Messieurs Jonas Jones and Peter Perry, with power to send for persons and papers, with leave to report by Bill or otherwise. Which was ordered.

Mr. Hugh C. Thomson, from the Committee to whom was referred the Petition of James Atkinson, Esquire, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would please to receive it. The Report was ordered to be received, and the Bill was read the first time.

Mr. Hugh C. Thomson, seconded by Mr. James Wilson, moves that the Waterloo School House Bill be read a second time on Tuesday next. Which was ordered.

*5th January, 1827.*—Mr. Donald McDonell, from the Committee to whom was referred the petition of the Rev. John McLaurin, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit, whenever the House would please receive the same. The Report was ordered to be received and the draft of bill was read the first time.

Mr. Donald McDonell, seconded by Mr. Alexander McDonell, moves that the Ottawa District School House Bill be read a second time on Tuesday next. Which was ordered.

*6th January, 1827.*—Mr. Hugh C. Thomson, seconded by Mr. Alexander McDonell, moves for leave to bring up the Petition of Thomas Gibbs Ridout, Esquire, and other inhabitants of the Town of York, which was granted, and the Petition brought up.

*8th January, 1827.*—Agreeably to the Order of the Day, the Waterloo School House Bill was read the second time.

Mr. Hugh C. Thomson, seconded by Mr. Hamilton Walker, moves that the House do now go into Committee of the Whole on the Waterloo School House Bill. Which was carried, and Mr. Alexander Wilkinson was called to the chair.

The House having resumed, Mr. Wilkinson reported the Bill as amended. The Report was ordered to be received.

Mr. Hugh C. Thomson, seconded by Mr. Donald McDonell, moves that the Waterloo School House Bill be engrossed and read a third time on Wednesday next. Which was ordered.

*9th January, 1827.*—Agreeably to the Order of the Day, the Petition of Thomas G. Ridout, Esquire, and certain inhabitants of the Town of York, in regard to the Common School House, and praying for an Act of incorporation for school purposes, was read.

Mr. Hugh C. Thomson, seconded by Mr. Duncan Cameron, moves that the Petition of Thomas G. Ridout, Esquire, and others of the Town of York, be referred to a Select Committee composed of Messieurs David Jones and James Lyons, with power to report thereon by Bill, or otherwise. Which was ordered.

*10th January, 1827.*—Mr. John Mathews, seconded by Mr. John Rolph, moves for leave to bring up the Petition of Mr. Edward Thompson Philan, which was granted, and the Petition brought up.

Mr. Hugh C. Thomson, from the Committee to whom was referred the Petition of Thomas G. Ridout, Esquire, and others, of the Town of York, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would please receive the same. The Report was ordered to be received, and the Bill was read the first time.

Mr. Hugh C. Thomson, seconded by Mr. David Jones, moves that the York Common School House Bill be read a second time on Saturday next. Which was ordered.

Mr. Marshall S. Bidwell, from the Committee to whom was referred the Petition of certain inhabitants of the Counties of Lennox and Addington in regard to the Bath School Society, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would please to receive the same. The Report was ordered to be received and the Bill was read the first time.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that the Bath School Bill be read a second time on Saturday next. Which was ordered.

*12th January, 1827.*—Agreeably to the Order of the Day the Petition of Mr. Edward Thompson Philan, praying for the allowance of school money, was read.

*13th January, 1827.*—Agreeably to the Order of the Day the Ottawa School House Bill was read the second time.

Mr. Donald McDonell, seconded by Mr. Hugh C. Thomson, moves that the House resolves itself into a Committee of the Whole on the Ottawa District School House Bill, which was carried and Mr. Zaccheus Burnham was called to the chair.

The House having resumed, Mr. Burnham reported the Bill without amendment. The Report was ordered to be received.

Mr. Donald McDonell, seconded by Mr. Alexander McDonell, moves that the Ottawa District School House Bill be engrossed and read a third time on Tuesday next, which was ordered.

Mr. John Matthews, seconded by Mr. Alexander Wilkinson, moves that the Petition of Mr. Edward Thompson Philan be referred to a Select Committee, and that Messieurs William Morris and Robert Randall do compose the same, with power to send for persons and papers, and to report thereon by Bill, or otherwise, on which the House divided, and the yeas and nays being taken were as follows:—

YEAS.—Messieurs Atkinson, Baby, Burke, Clark, Coleman, Fothergill, Hamilton, Matthews, McCall, Peterson, Randal, Thomson, Wilkinson and Wilson—14.

NAYS.—Messieurs Beasley, Burnham, Cameron, Gordon, D. McDonell, A. McDonell, Morris, Scollick and White—9.

The question was carried in the affirmative by a majority of five, and was ordered accordingly.

*16th January 1827.*—Agreeably to the Order of the Day, the Ottawa District School House Bill was read the third time.

Mr. Donald McDonell, seconded by Mr. Hugh C. Thomson, moves that the Bill do now pass, and that it be intituled: "An Act to authorize the Reverend John McLaurin to convey to the Ottawa District School Trustees a lot of land for the purposes therein mentioned." Which was carried and the Bill signed by the Speaker.

Messieurs Donald McDonell and Mr. Alexander McDonell were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Agreeably to the Order of the Day, the York Common School House Bill was read the second time.

Mr. Hugh C. Thomson, seconded by Mr. Robert Randal, moves that the House do now resolve itself into Committee of the Whole on the York Common School House Bill. Which was carried, and Mr. Charles Ingersol was called to the chair.

The House having resumed, Mr. Ingersol reported the Bill without amendment. The Report was ordered to be received.

Mr. Hugh C. Thomson, seconded by Mr. James Atkinson, moves that the York Common School House Bill be engrossed and read a third time on Thursday next, which was ordered.

Mr. D'Arcy Boulton, Master-in-Chancery, brought down from the Honourable the Legislative Council, the Bill intituled: "An Act to authorize James Atkinson, Esquire, to convey to trustees a lot of land for purposes therein mentioned, to which the Honourable the Legislative Council had made some amendments, and to which the concurrence of this House was requested, and having retired, the amendments made by the Honourable the Legislative Council in and to the Bill, intituled: "An Act to authorize James Atkinson, Esquire, to convey to trustees a lot of land for purposes therein mentioned," were read the first time as follows:—

Amendments made by the Honourable the Legislative Council in and to the Bill intituled: "An Act to authorize James Atkinson, Esq., to convey to trustees a lot of land for purposes therein mentioned."

Press 1, line 15. After the word "notwithstanding" insert "provided nevertheless that such person or persons, and their successor as aforesaid, as well as the master and teachers employed in such school, as aforesaid, shall be British subjects."

Mr. Hugh C. Thomson, seconded by Mr. Donald McDonell, moves that the amendments made by the Honourable the Legislative Council to the Bill intituled: "An Act to authorize James Atkinson, Esquire, to convey to trustees a lot of land for purposes therein mentioned," be read a second time on Friday next. Which was ordered.

*18th January, 1829.*—Agreeably to the Order of the Day, the Town of York Common School House Bill was read a third time.

Mr. Hugh C. Thomson, seconded by Mr. Donald McDonell, moves that the York Common School House Bill do now pass, and that it be intituled: "An Act to Enable Certain Persons therein mentioned to accept and take a deed of gift from John Small, of the Town of York, Esquire, of a sufficient piece or parcel of ground for the use of a Common School." Which was carried and the Bill was signed by the Speaker.



Messieurs Hugh C. Thomson and James Atkinson were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

*January 20th, 1827.*—Agreeably to the Order of the Day, the Bath School Bill was read the second time.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that the House do now resolve itself into a Committee of the Whole, on the Bath School Bill. Which was carried, and Mr. Archibald McLean was called to the chair.

The House having resumed, Mr. McLean reported the Bill without amendment. The Report was ordered to be received.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that the Bath School Bill be engrossed and read a third time on Tuesday next. Which was ordered.

Agreeably to the Order of the Day, the amendments made by the Honourable the Legislative Council in and to the Bill intituled: "An Act to authorize James Atkinson, Esquire, to convey to trustees a lot of land for purposes therein mentioned," were read the second time.

Mr. Hugh C. Thomson, seconded by Mr. Peter Perry, moves that the House do now resolve itself into a Committee of the Whole on the amendments to the Bill intituled, "An Act to authorize James Atkinson, Esquire, to convey to trustees a lot of land for purposes therein mentioned." Which was carried, and Mr. Peter Perry was called to the chair.

The House having resumed, Mr. Perry reported the amendments made by the Committee, and the report was ordered to be received.

Mr. Hugh C. Thomson, seconded by Mr. Thomas Coleman, moves that the amendments made by the Honourable the Legislative Council to the Bill intituled: "An Act to authorize James Atkinson, Esquire, to convey to trustees a lot of land for purposes therein mentioned," be read a third time on Tuesday next, which was ordered.

*23rd January, 1827.*—Agreeably to the Order of the Day, the Bath School Bill was read the third time.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that the Bill do now pass, and that it be intituled: "An Act to Incorporate Certain Persons by the name of 'The Bath School Society.'" On which the House divided, and the yeas and nays being taken, were as follows:—

YEAS.—Messieurs Atkinson, Beardsley, Beasley, Bidwell, Burnham, Clark, Coleman, Cumming, Lefferty, McDonell, Perry, Patterson, Randal, Rolph, Thompson, Thomson, Wilkinson and White—18.

NAYS.—Messieurs Burke, Cameron, Gordon, Ingersol, Charles Jones, David Jones, McLean, McDonell, Morris and Walsh—10.

The question was carried in the affirmative by a majority of eight, and the Bill was signed by the Speaker. Messieurs Bidwell and Perry were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Agreeably to the Order of the Day, the amendments made by the Honourable the Legislative Council in and to the Bill intituled: "An Act to authorize James Atkinson, Esquire, to convey to Trustees a lot of land for purposes therein mentioned," were read the third time, passed, and signed by the Speaker, as follows:—

Press, line 15. After the word, "notwithstanding," insert "provided nevertheless, that such person or persons, and their successors, as aforesaid, as well as the Master and Teachers employed in such School as aforesaid, shall be British subjects."

Messieurs Atkinson and Perry were ordered by the Speaker to carry up a Message to the Honourable the Legislative Council, informing them that this House has concurred in the amendments made by that Honourable Body, in and to the Bill intituled: "An Act to authorize James Atkinson, Esquire, to convey to Trustees a lot of land for purposes therein mentioned."

*25th January, 1827.*—Mr. D'Arcy Boulton, Master-in-Chancery, brought down from the Honourable the Legislative Council the Bill intituled: "An Act to authorize the Reverend John McLaurin to convey to the Ottawa District School Trustees a lot of land, for the purposes therein mentioned," which they had passed without amendment; also the Bill intituled: "An Act to Enable Certain Persons therein mentioned to Accept and Take a Deed of Gift from John Small, of the Town of York, Esquire, a Sufficient Piece, or parcel of Ground for the use of a Common School," to both of which the Honourable the Legislative Council had made some amendments, and which he was directed to recommend to the adoption of this House; and having retired, the amendments made by the Honourable the Legislative



Council in and to the Bill intituled : "An Act to Enable Certain Persons therein mentioned to Accept, and Take a Deed of Gift from John Small, of the Town of York, Esquire, of a Sufficient Piece, or parcel of Ground for the use of a Common School," were read the first time as follows :—

Press, 1 line 8 :—Expunge "said town," and insert "township."

Press, 1 line 21 :—Expunge "town" and insert "township."

Mr. William Morris, seconded by Mr. Hugh C. Thomson, moves that the amendments made by the Honourable the Legislative Council to the Bill intituled : "An Act to Enable Certain Persons therein mentioned to Accept and Take a Deed of Gift from John Small of the Town of York, Esquire, of a Sufficient Piece, or parcel of Ground for the use of a Common School," be read a second time on Monday next. Which was ordered.

7th February, 1827.—*Indian Schools.*—Mr. Attorney-General Robinson, from the Committee to whom was referred the petition of the Reverend Thaddeus Osgoode, praying for pecuniary aid in favor of a Society for promoting education among the Indians and destitute settlers in this Province, to which Society he represents himself to be Agent, have considered the prayer of the said Petition, and have agreed to the following Report :—

Your Committee do not conceive that with respect to the means of education, any considerable portion of the population of this Province can properly be said to be destitute, except during the existence of circumstances, which in some cases, interpose other difficulties, besides the mere want of pecuniary means.

When a Township is first settled, and while it contains but few inhabitants who are much dispersed, instruction cannot be conveniently dispensed to them. So soon, however, as circumstances will admit of a number of children being assembled at any one point, the assistance now given from the public funds, for the support of Common Schools, is applied for, and your Committee have no reason to suppose that it is not impartially dispensed.

The appropriation, which the Legislature has made for this object, is large and liberal, in proportion to our revenues, and your Committee is of opinion that if the Legislature had the means of devoting a still larger sum to the promotion of education, it could not be more beneficially applied than in increasing the funds for the support of Common Schools.

With respect to the Indians, your Committee cannot allude without much satisfaction to the gratifying circumstances that many have been lately converted to Christianity, and that they are beginning to associate themselves in villages and to avail themselves with eagerness of the means of instruction within their reach.

Your Committee think it very desirable that every community of Indians which may be thus formed should enjoy the advantage of a Common School such as most of the townships possess, and it is probable that the present Common School fund may not in any case admit of this charge, the Committee trust that the House will think it practicable to afford allowance for a school master in each village or settlement of Indians, and the details of the "Common School Act," not being adapted to communities of Indians, your Committee has endeavoured to make a suitable provision in the Bill which accompanies this report.

J. B. ROBINSON,

HOUSE OF ASSEMBLY, COMMITTEE ROOM,  
February 6th, 1827.

Chairman.

The Indian School Bill (no copy of which is inserted in the Journal of the House) was read the first time, and ordered for a second reading to-morrow, which was granted.

(NOTE.—As this Indian School Bill did not come up for a second reading, it must have been dropped. Probably the provision in the Common School Extension Act of 1824 was considered sufficient. Petitions from the Muncey and the Mississaugua (River Credit) Indians were received and referred to Committees, but these Committees did not report on them.)

## 2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL IN 1825.

The whole of the educational proceedings of the Legislative Council during this session of 1825 was confined to the first reading of the Bathurst Common School perpetuation Bill, sent up from the House of Assembly, and its rejection after having been considered in Committee of the Whole House.

*27th January, 1826.*—The Council met, pursuant to adjournment. A deputation from the Commons House of Assembly being announced, it was admitted, and brought up for the concurrence of this House a Bill intituled : “An Act to grant to His Majesty a sum of money for the purposes therein mentioned (*i.e.*, perpetuation of the Bathurst District Common Schools).”

The deputation having withdrawn, the said Bill was read a first time.

On motion made and seconded the said Bill was read a second time, and the House resolved itself into a Committee of the Whole to take the same into consideration, the Honourable William Allan in the chair.

The Speaker having resumed the Chair, the Chairman reported that the Committee had made some progress in the Bill and requested leave to sit again this day three months. Ordered that the Report be accepted and leave given accordingly.

Thus the Bill was rejected by the Legislative Council.

*17th February, 1826.*—His Excellency Sir Peregrine Maitland, having directed the Black Rod to summon the Members of the Commons House of Assembly to the Legislative Council Chamber, delivered the usual Speech from the Throne, and was pleased to assent in His Majesty's name to the following Bill :—

“An Act to authorize the Reverend John McLaurin to convey to the Ottawa District Grammar School Trustees a Lot of Land for the purposes therein mentioned.”

He made no reference in his closing speech to school or educational matters.

## CHAPTER XLIII.

### GRANTING OF THE FIRST CHARTER OF KING'S COLLEGE IN 1827.

The exchange of the unproductive lands, assigned to the proposed University of Upper Canada, under the authority of the Duke of Portland's Despatch of the fourth of November, 1797, for the more valuable Crown Reserves, (as recommended by the Lieutenant-Governor, Sir Peregrine Maitland, in 1825), made possible the establishment of the long-projected University of Upper Canada. Accordingly the Rev. Dr. Strachan, its chief promoter, took active measures to bring about this result. He, therefore, prepared and submitted to the Lieutenant-Governor in March, 1826, an elaborate statement of the reasons why steps should be taken to found the proposed University. The statement which Rev. Dr. Strachan submitted to Sir Peregrine Maitland was as follows :

I have the honour to state, for Your Excellency's information, some of the reasons which, in my humble opinion, render it highly important that immediate steps should be taken to found a University in this Province ; and, as Your Excellency has also been pleased to call upon me to suggest what I consider to be in the power of His Majesty's Government towards commencing an Institution by which the youth now growing up in the Colony may have an opportunity of finishing their education under teachers of approved ability and tried attachment to the Parent State and the Established Church, I take the liberty to point out the way by which means may be obtained for accomplishing so desirable an object.

The present state of Education in this Province consists of Common Schools throughout the different Townships, established under several Acts of the Provincial Legislature, and which are now, by the exertions of Your Excellency, placed on an excellent footing, requiring no other improvements than the means of multiplying their number, which, no doubt, will be granted as the finances of the Province become more productive. In about three hundred and forty Common Schools established in the different Districts of the Colony, from seven to eight thousand children are taught reading and writing, the elements of arithmetic and the first principles of religion ; and, when it is considered that the parents commonly send their children in rotation—the younger in summer when the roads are good, and the elder in winter—it is not too much to say that nearly double this number, or from twelve to fourteen thousand children, profit annually by the Common Schools. The consequence is that the people, scattered as they are over a vast wilderness, are becoming alive to the great advantage of educating their children, and are in many places seconding, with laudable zeal, the exertions of the Legislature, and establishing schools at their own expense.



Provision is made by law for the translation of some of the more promising scholars from the Common to the District Schools, where the Classics and practical Mathematics are taught. In these schools, eleven in number, there are at present upwards of 300 young men acquiring an education to qualify them for the different professions; and, although they can seldom support more than one master, several of the young gentlemen who have been brought up in them are now eminent in their professions, and would, by their talents and high principles, do credit to seminaries of greater name. But the period has arrived when the District Schools will become still more useful, by confining themselves to the intention of their first establishment, namely, nurseries for a University—an institution now called for by the increased population and circumstances of the Colony, and most earnestly desired by the more respectable inhabitants.

There is not, in either Province, any English Seminary above the rank of a good school, at which a liberal education can be obtained. Thus, the youth of nearly 300,000 Englishmen have no opportunity of receiving instruction within the Canadas in Law, Medicine or Divinity. The consequence is that many young men, coming forward to the learned professions, are obliged to look beyond the Province for the last two years of their education—undoubtedly the most important and critical of their lives. Very few are able, on account of the great expense, to go to England or Scotland; and the distance is so great, and the difficulties so many, that parental anxiety reluctantly trusts children so far from its observation and control. The youth are, therefore, in some degree compelled to look forward to the United States, where the means of education, though of a description far inferior to those of Great Britain, are yet superior to those within the Province, and a growing necessity is arising of sending them to finish their education in that country. Now, in the United States, a system prevails, unknown to, or unpractised, by any other nation. In all other countries morals and religion are made the basis of future instruction, and the first book put into the hands of children teach them the domestic, the social and the religious virtues; but in the United States politics pervade the whole system of instruction. The school books, from the very first elements, are stuffed with praises of their own institutions and breathe hatred to everything English. To such a country our youth may go, strongly attached to their native land and to all its establishments, but, by hearing them continually deprecated, and those of America praised, these attachments will, in many, be gradually weakened, and some may become fascinated with that liberty which has degenerated into licentiousness, and imbibe, perhaps, unconsciously, sentiments unfriendly to things of which Englishmen are proud. It is, indeed, easy to perceive the danger of sending our most prominent youth to a country to finish their education where they hear nothing in praise of their native land, and where everything bespeaks hatred and defiance, where her merits are considered defects, and all her noblest virtues and glories soiled by the poison of calumny; nor can it be expected that any of them, on their return, will give up their hearts and affections to their parent state with the same cordiality that they would have done had they been carefully nurtured within the British Dominions. What, indeed, can be more important to the true prosperity of the Province than the careful education of its youth? In what other way can we ever obtain a well instructed population by which to preserve our excellent Constitution and our connection with the British Empire, and give that respectable character to the country which arises from an intelligent magistracy, and from having public situations filled with men of ability and information? What has been already done to effect this purpose is highly creditable to the Province. The two primary steps have been taken, and the third, though the most important, is opposed by no serious impediments which may not, it is hoped, be removed by Your Excellency, who has nothing more seriously at heart than the promotion of religion and education throughout the Province.

The establishment of an University at the seat of Government will complete a regular system of education in Upper Canada from the letters of the alphabet to the most profound investigations of Science—a system which will be intimately connected with the District Schools, as they send up a number of boys to be instructed gratis—and the District Schools may be connected with the University by means of scholarships, to increase in number as the revenues of the University shall admit, either by the sale of lands appropriated for its endowments or grants from the Provincial Legislature. And the University might, in time, become connected with Oxford and Cambridge, in England, by possessing four Exhibitions at each, for the benefit of its more promising sons. In this manner, the door to liberal education would be opened to all the inhabitants, and the children of the farmer and the mechanic might be found filling the highest offices of the colony to which they had arisen by their superior talents, fostered by the benevolent institutions of the Province, and Upper Canada might boast a place of public instruction rarely equalled and not surpassed by any in the world. This establishment, by collecting all the promising youth of the Colony into one place, would gradually give a new tone to public sentiments and feelings; and, should any portion of our people cherish a leaning towards our neighbours, it would be removed or checked by means, not in their nature violent, but, on the contrary, producing the most beneficial effects on the whole Province. It



is indeed, quite evident that the consequences of an University establishment, even on a very moderate scale, but possessing sufficient recommendations to attract to it the sons of the most opulent families, would soon be visible in the greater intelligence and more confirmed principles of loyalty to those who would be called to the various public duties required in the country. Nor is the number small that are thus called upon to fill the various stations of magistrates legislators and the ranks of different learned professions.

There are, it is believed, between forty and fifty young gentlemen in the Province studying the profession of Law—a profession which must, in a country like this, be the repository of the highest talents. Lawyers must from the very nature of our political institutions—from there being no great land proprietors—no privileged orders—become the most powerful profession, and must, in time, possess more influence and authority than any other. They are emphatically our men of business, and will gradually engross all the colonial offices of profit and honor. Is it not, therefore, of the utmost importance that they should be collected together at the University, become acquainted with each other and familiar, acquire similar views and modes of thinking, and be taught from precept and example to love and venerate our parent state. It is surely of great consequence that a class of intelligent men, belonging to a profession which offers the highest inducements of reputation, wealth, influence, authority and power, should be actuated by sentiments and feelings of attachment to the British Empire.

In regard to the profession of medicine, now becoming of great importance in the Province, it is melancholy to think that more than three-fourths of the present practitioners have been educated or attended lectures in the United States, and it is to be presumed that many of them are inclined towards that country. But in this colony there is no provision whatever for attaining medical knowledge, and those who make choice of that profession must go to a foreign country to obtain it.

There are, as yet, only twenty-two clergymen in Upper Canada, the greater number from England. It is essential that the young men coming forward to the church, should be educated entirely within the Province, but for this there is no provision. It is true the few clergymen in the country have been hitherto educated by their elder brethren, and the result has been most satisfactory, for, in some respects, they have the advantage over brethren from England; they are better acquainted with the people and can address them with more effect; and as they bring over to the church their friends and relatives, the power and influence of the establishment are increased. But the wants of the Province are becoming great, and however much disposed the elder clergy may be to bring forward young men to the sacred profession, they have neither time nor means of doing it with sufficient effect. There can be nothing of that zeal, of that union and mutual attachment, of that deep theological and literary inquiry and anxiety to excel, which would be found among young men collected at the University, and here it is not irrelevant to observe that it is of the greatest importance that the education of the colony should be conducted by the clergy.

Nothing can be more manifest than that this colony has not yet felt the advantage of a religious establishment. What can twenty-two clergymen do, scattered over a country of nearly six hundred miles in length? Can we be surprised that, under such circumstances, the religious benefits of the ecclesiastical establishment are unknown, and that sectaries of all descriptions have increased on every side? And when it is further considered that the religious teachers of all other Protestant denominations, a very few respectable ministers of the church of Scotland excepted, come, almost universally, from the Republican States of America, where they gather their knowledge and form their sentiments. It is evident that, if the Imperial Government does not step forward with efficient help, the mass of the population will be nurtured and instructed in hostility to all our institutions, both civil and religious.

Were the young men, destined for the professions or any other liberal pursuit, to have their minds formed at a University, they would, certainly, compose a body continually increasing, which, in union, respectability and thought, would overmatch any tendency to disaffection that might appear, and gradually produce a tone and feeling through the Province altogether British.

It is scarcely necessary to urge, in addition to these forcible arguments, that, in Nova Scotia, with a population not much exceeding half that of Upper Canada, two Colleges have been established, and that even in New Brunswick, a Seminary of the same rank is, at this moment, going into operation.

From all which it appears highly expedient to establish a University at the Seat of Government, to complete the system of education in the colony, at which all the branches requisite for qualifying young men for the learned professions, may be taught; since the commencement of such an institution, even on a small scale, to increase as its revenues shall admit, would be of incalculable benefit to this flourishing Province.

The following scheme is, therefore, humbly submitted, as forming a very good beginning :—

UNIVERSITY OF UPPER CANADA.—The President, or Principal, to be at first classed as Professor :—

	£	s.	d.	£	s.	d.
Four Professors at £400 per annum, each.....	1,600			400		
One Professor of Law, per annum ..	100					
One Professor of Medicine, per annum .....	100					
To the Library, annually.....	100					
To a Philosophical and Chemical Apparatus, annually.....	100					
To a Librarian, annually.....				100		
To a Botanic Gardener, annually .....	100					
To a Gardener, annually .....	100					
To two Scholarships for each District, one of £60 and one of £40 per annum	1,100			1,100		
To Repairs and Servants.....	250					
	3,650			1,600		
Deduct, if necessary.....	1,600					
Required to begin, the annual sum of.....	2,050					

#### REMARKS.

The services of the President, or Principal, being chiefly those of superintendence, may be commanded for a time, without emolument, or, rather, as these duties will not, at first, be burdensome he might, till the endowment became available, teach moral Philosophy and Theology. It would be desirable that the funds should admit of the first column without deduction, but the items in the second column may be dispensed with at first. The President may, by methodical arrangement and occasional assistance, conduct with three able and zealous Professors an excellent course of instruction, till the funds shall admit of the appointment of additional Professors.

The appropriation for the library and apparatus will require to be increased as soon as possible.

The salary of the Librarian may be saved for some years by making some of the elder students discharge the duties of that office.

The Scholarships may rest in abeyance until the revenues of the institution shall admit of the gradual adaption.

The following outline of study, which may be altered and modified at pleasure, is merely suggested to give some idea of what may be accomplished under the above scheme, slender as it may appear to be :—

1. Classical Literature, including English Composition.
2. Mathematics, Practical and Theoretic.
3. Natural History, including Botany.
4. Natural Philosophy and Chemistry.
5. Moral Philosophy and Divinity.
6. Surgery and Anatomy.
7. Civil and Public Law.

The University must be established by Royal Charter, to give it dignity and to enable it to confer academical honors and degrees according to the forms established in the English Universities.

It should be made to assimilate as much as possible with Oxford and Cambridge ; and for this purpose, Tutors in aid of the Professors should be appointed, as soon as the funds will admit.

The Bishop of the Diocese will, doubtless, be appointed Visitor ; but great care will be required in selecting the members who are to compose the Convocation, as the University has the power, when established, of sending a Member to the Assembly.

The Principal and Professors, except those of Medicine and Law, should be Clergymen of the Established Church ; and no tutor, teacher or officer, who is not a member of that Church, should ever be employed in the institution.

The Professors of Surgery and Anatomy, and of Civil and Public Law, will, of course, be professional gentlemen, not residing within the University.

Means at the disposal of His Majesty's Government for the establishment of a University in Upper Canada :—



In 1798, about 549,000 acres of land were appropriated for the purposes of education and endowment of schools. Of this appropriation, 190,573 acres have been assigned by His Majesty's Government to the General Board of Education, leaving for the endowment of the University 358,427 acres, or about seven Townships.

Of these Townships several are very convenient for settlement, though not yet saleable to settlers, because grants from the Crown are easily obtained.

It is, therefore, proposed to exchange four of these townships for the Crown Reserves under actual lease, or which have been applied for, and have not been made over to the Canada Land Company. The benefit of such an exchange will be reciprocal. Government will have a tract of 248,000 acres at its disposal, in eligible situations, which may be assigned to any object for which the Reserves may have been considered applicable; and the University will be enabled to go much sooner into operation, because many of the lessees are anxious to purchase the fee simple of their lands, and those who are not will pay a reasonable rent. In either case an annual income is secured to the Institution. The Reserves prayed for in exchange yield about 229,000 acres which may be valued at ten shillings per acre, provincial currency, or rather more than £100,000 sterling. Some time must elapse before such a sum can be realized; but it is a description of property so certain, that on the exchange being made, there would, in my opinion, be no risk in commencing the University by erecting and furnishing the necessary buildings.

In response to this statement from Dr. Strachan, Sir Peregrine Maitland, (as Dr. Strachan states in his speech at the opening of King's College in 1843):

Determined to refer the matter to the King's Government, and at the same time to apply for a Royal Charter for establishing the University. As local information, and many explanations might be required, instead of confining himself to writing on the subject, His Excellency committed to me the duty of soliciting, in person such Royal Charter and endowment, (*i.e.*, exchange of lands). Entrusted with this agreeable commission, I left Toronto (then York) on the 16th of March, 1826, and reached London the 27th of April, and lost no time in bringing the objects of my journey under the notice of His Majesty's Government.\*

The parties with whom Dr. Strachan placed himself in communication on his arrival in England were Earl Bathurst, Colonial Secretary, Mr. (afterwards Sir) James Stephen, Law Adviser to the Colonial Department, and Sir R. W. Horton, Under Secretary of State for the Colonies. Speaking of the aid given him by Mr. Stephen, Dr. Strachan, at the opening of King's College, in 1843, said:

Mr. Stephen not only suggested but assisted me in drawing up the articles proper to form the basis of the Charter. Indeed, without his kind and able advice and assistance I must have failed. He was indefatigable in removing difficulties and meeting objections raised against the principle upon which we deemed it wise to construct the Charter. . . .

The Charter of the University of King's College was not hastily settled. It was nearly a whole year under deliberation. It was repeatedly referred to the Archbishop of Canterbury, the Most Reverend Dr. Mannors, who doubted the propriety of assenting to an instrument so free and comprehensive in its provisions. (Proceedings at the Opening of King's College, 1843, page 39.)

In the interval between Dr. Strachan's arrival in England in April, 1826, and the granting of the Charter in March, 1827, he drew up an elaborate "Appeal" for circulation in England, which he issued early in 1827, with the following title:

"An Appeal to the Friends of Religion and Literature, in behalf of the University of Upper Canada. By John Strachan, Archdeacon of York, Upper Canada." This Appeal, (substantially an echo of the first part of the foregoing letter to Sir Peregrine Maitland), was as follows:

The present state of education in the Province of Upper Canada consists of common schools throughout the different townships or parishes established under various Acts of the Colonial Legislature, which are placed on a most excellent footing and require no other improvement than the means of multiplying their number, which will be no doubt granted, as the revenue becomes more productive.

\* The reason given by Bishop Bethune, in his *Memoir of Bishop Strachan*, for sending Dr. Strachan to England to obtain the assent of the Home Government to the exchange of the unproductive University lands for the Crown Reserves, and also to get a Royal Charter for the proposed University, was the failure to receive a reply from the Colonial Secretary to the Despatch on these subjects sent to the Secretary by the Lieutenant-Governor in December, 1825. No reply was received to that despatch until March, 1827, after Dr. Strachan's double mission had been accomplished. (Page 108.)



In about three hundred and forty common schools established in the different Districts of Upper Canada from seven to eight thousand children are taught reading and writing, the elements of arithmetic and the first principles of religion; and, when it is considered that the parents commonly send their children in rotation, the younger in summer when the roads are good and the elder in winter, it is not much to say that nearly double this number or from twelve to fourteen thousand children profit annually by the common schools. The consequence is that the people, scattered as they are, over a vast wilderness, are becoming alive to the great advantage of educating their children and are seconding with laudable zeal the exertions of the Legislature; inasmuch so that the schools supported by subscription are more in number than those established by law.

Provision is made by statute for the translation of some of the more promising scholars from the common to the district schools where the classics and practical mathematics are taught. In these schools eleven in number there are, at present, upwards of three hundred young men acquiring an education to qualify them for the different professions; and, although they can seldom support above one master, several young gentlemen, who have been brought up in them, are now eminent in their professions and would, by their talents and high principles, do credit to seminaries of greater name.

But the time has arrived when the district schools will become still more useful by confining them to the intention of their first establishment, namely, nurseries for an university, an institution now called for by the increased population and circumstances of the colony and most earnestly desired by the more respectable inhabitants. There is not in either Province any English seminary above the rank of a good school at which a liberal education can be obtained. Thus the youth of three hundred thousand Englishmen have no opportunity of receiving instruction within the Canadas in Law, Medicine or Divinity.

The consequence is that many young men coming forward to the learned professions are obliged to look beyond the Province for the last two or three years of their education, undoubtedly the most important and critical period of their whole lives. Very few are able, on account of the great expense, to proceed to England or Scotland, and the distance is so great and the difficulties so many that parental anxiety reluctantly trusts children so far from its observation and control. The youth are, therefore, in some degree, compelled to look towards the United States where the means of education, though of a description far inferior to those of Great Britain, are yet superior to anything within the Province, and a growing necessity is arising of sending them to finish their education in that country. Now, in the United States a custom prevails unknown to, or unpractised, by any other nation; in all other countries morals and religion are made the basis of public instruction and the first books put into the hands of children teach them the domestic, the social and religious virtues; but in the United States politics pervade the whole system of education; the school books from the very first elements are stuffed with praises of their own institutions and breathe hatred to everything English.

To such a country our youth may go, strongly attached to their native lands and to all its establishments; but, by hearing them continually depreciated and those of America praised, this attachment will in many be gradually weakened; and some may become fascinated with that liberty which has degenerated into licentiousness and imbibe, perhaps unconsciously, sentiments unfriendly to things of which Englishmen are proud.

It is, indeed, easy to perceive the danger of sending our most prominent youth to a country to finish their education where they hear nothing in praise of their native land and where anything bespeaks hatred and defiance, where her merits are accounted defects and all her virtues and glories soiled by the poison of calumny. Nor can it be expected that any of them on their return will give up their hearts and affections to their Parent State with the same cordiality that they would have done had the been carefully nurtured within the British Dominions. What, indeed, can be more important to the true prosperity of the Province, than the careful education of its youth? In what other way can we ever obtain a well-instructed population by which to preserve our excellent constitution and our connection with the British Empire and give that respectable character to the country, which arises from an intelligent magistracy and from having public situations filled by men of ability and information.

What has been already done to effect this purpose is highly creditable to Province; the two primary steps have been taken, and the third which is the most important is opposed by no serious impediments.

The establishment of an University at the seat of Government will complete a system of education in Upper Canada from the letters of the alphabet to the most profound investigations of science—a system which will be intimately connected in all its branches. Almost the Common Schools are connected with the District Schools, as they may send up a certain number of boys to be instructed *gratis*; and the District Schools may be connected with the University by means of scholarships to increase in number as the revenues of the University shall admit, either by

the sale of lands appropriated for its endowment or grants from the Provincial Legislature ; and the University might, in time, become connected with Oxford and Cambridge in England by possessing some exhibitions at each for the benefit of its more promising sons. In this manner the door to a liberal education would be opened to all the inhabitants, and the children of the farmer and mechanic might be found deservedly filling the highest offices of the Colony to which they had arisen by their superior talents fostered by the benevolent institutions of the Province and Upper Canada might boast a plan of public instruction rarely equalled and not surpassed by any in the world.

This establishment, by collecting all the promising youth of the colony into one place, would gradually give a new tone to public sentiments and feelings ; and should any portion of the people cherish a leaning towards our neighbors, it would be removed or checked by means not in their nature violent, but, on the contrary, producing the most beneficial effects through the whole Province. It is, indeed quite evident that the consequences of a University established even on a very moderate scale, but possessing sufficient recommendations to attract to it the sons of the most opulent families, would soon be visible in the greater intelligence and more confirmed principles of loyalty of those who would be called to the various public duties required in the country. Nor is the number small that are thus called upon to fill the stations of magistrates, legislators, and the ranks of the different learned professions.

There are, it is believed, at present between forty and fifty young gentlemen in the Province studying the profession of the law, a profession which must, in a country like this, be the repository of the highest talents. Lawyers must from the very nature of our political institutions, from there being no great land proprietors, no privileged orders, become the most powerful profession and must, in time, possess more influence and authority than any other. They are emphatically our men of business and will gradually engross all the Colonial offices of profit and honour. Is it not, therefore, of the utmost importance that they should be collected together at the University, become acquainted with each other, and familiar with similar views and modes of thinking, and be taught from precept and example, to venerate and love our Parent State. It is, surely, of great consequence that a class of intelligent men belonging to a profession which offers the highest inducements of reputation, wealth, influence, authority and power, should be attached by sentiment and feeling to the British empire.

In regard to the profession of medicine, now becoming of great importance in the Province, it is melancholy to think that three-fourths of the present practitioners have been educated or attended lectures in the United States, and it is to be presumed that many of them are inclined towards that country. But in Upper Canada there is no provision whatever for attaining medical knowledge, and those that make choice of that profession must go to a foreign country to acquire it.

There are only twenty-four clergymen in Upper Canada, the greater number from England, the remainder natives. Now, unless we can get respectable clergymen from England, it is essential that the young men coming forward to the church should be educated entirely within the Province, but for this there is no sort of provision. It is true that the few clergymen born in the country have been hitherto educated by their elder brethren, and the result has been the most satisfactory, for, in some respects, they have the advantage over their brethren from England ; they are better acquainted with the people and can address them with more effect, and, as they bring over to the church their friends and relations, the power and influence of the establishment are increased. But the wants of the Province are becoming great, and, however much disposed the elder clergy may be to bring forward young men to the sacred profession, they have neither leisure nor the means of doing it with proper effect. There can be nothing of that zeal, of that union and mutual attachment, of that deep theological and literary enquiry and anxiety to excel, which would be found among young men collected at the University.

Nothing can be more manifest than that Upper Canada has not yet felt the advantage of a religious establishment. What can twenty-four clergymen do, scattered over a country of nearly six hundred miles in length ? Can we be surprised that, under such circumstances, the religious benefits of a church establishment are unknown, and that sectaries of all descriptions have increased ? And when it is farther considered that the religious teachers of all other Protestant denominations, a very few respectable ministers of the Church of Scotland excepted, come from the republican states of America, where they gather their knowledge and form their sentiments, it is evident that, if the Imperial Government does not step forward with efficient help, the mass of the population will be gradually nurtured and instructed in hostility to our institutions, both civil and religious.

Were the young men, destined for these professions or any other liberal pursuits, to have to have their minds formed at a University, they would compose a body continually increasing, which, in union, respectability and strength, would overmatch any tendency to disaffection that might appear, and gradually produce a tone and feeling through the Province, altogether British.



The noble Lord at the head of the Colonial Department, who has through life been the strenuous and upright friend of religion and the promoter of every measure that had a tendency to advance the true prosperity of the colonies, having taken these circumstances into consideration, has not only commanded in His Majesty's name a Royal Charter to issue, establishing an University in Upper Canada, which shall have and enjoy all such and the like privileges as are enjoyed by the Universities of the United Kingdom of Great Britain and Ireland, and has declared it to be the munificent intention of our Beloved Sovereign to grant a sum of money for the purpose of erecting the necessary buildings, and to confer such an Endowment as shall, in a few years, place the Institution in full and active operation. His Majesty's Government having thus done all and even more than could have been expected, nothing would remain, but patiently to wait till the Endowment yielded the means of commencing the business of instruction, were not the wants of the Province so urgent that the delay of five or six years, which must elapse before the University, under present circumstances, can be put in activity, may be attended with evil consequences which may never be retrieved. Under this apprehension, I am induced to appeal to the friends of religion that we may be enabled immediately to collect around us the youth of Canada for the purpose of instruction. Already has the Venerable Society for the Propagation of the Gospel in Foreign Parts, sensible of the urgency of the case, granted £500 towards purchasing a library, and an equal or greater donation is confidently expected from the sister Society for Promoting Christian Knowledge.

It is chiefly on religious grounds that this Appeal for the University of Upper Canada is made, which, while it offers its benefits to the population, will, for a century to come, from the peculiar circumstances of the country, be essentially a Missionary College, and the number of clergymen which it will be called upon to furnish will be more than double what any other profession can require.

"TABLE OF THE RELIGIOUS STATE OF UPPER CANADA AS IT RESPECTS THE  
ESTABLISHED CHURCH."

[NOTE.—This Table comprised the Church of England statistics of the eleven Districts then in existence, viz.: Eastern Ottawa, Johnstown, Bathurst, Midland, Newcastle, Home, Gore, Niagara, London and Weston. Number of square miles, 28,260; number of Townships and Parishes, 260; estimated population, 200,000; number of settled clergymen, 24; number of clergymen required, 112.]

This Table, in respect to its measurements, having been compiled from a map is not given as fractionally exact, but will be found in all parts, substantially correct.

Assuming that there ought to be a clergyman for every 1,500 inhabitants, it will be seen that 112 clergymen are, at this moment, required for the Province of Upper Canada. But it is to be remarked that these 1,500 inhabitants are commonly scattered over a surface of several hundred square miles, and that, if confined to this number, every clergyman must, to be useful, itinerate and have many places of worship to attend. Under such circumstances all the advantages of a sedentary established clergy cannot be enjoyed. Even if one clergyman were settled in every township of which there are already 260, his labours would be great, for these townships or parishes are commonly twelve by nine miles, containing more than 100 square miles and, consequently, equal in extent to eight or ten parishes in this country.

Again the rapid increase of population must be taken into consideration, which will double every fifteen or twenty years for a century to come. Now if the population in 1826 amounting to 200,000 require 112 additional clergymen, which, with the twenty-four already in the country make in all 136, then in 1846, the population, which will at least be 400,000, will require 136 more clergymen for their religious instruction, or about seven every year. This new demand, together with the number necessary to fill up vacancies, will require, during the early years of the seminary a great and increasing number every season.

The University of Upper Canada will, therefore, necessarily be a Missionary College, and will have to furnish a greater number of candidates, for Holy Orders than for any of the other professions. In this point of view, it appears equally deserving of assistance with Bishop's College at Calcutta; for, if the latter confine itself entirely to the religious instruction of those who are to become missionaries, it is because there is another semi-ary supported by the East India Company, where laymen can acquire an academical education. In the Canada University both are combined, as sufficient endowments could not have been procured for two; but the wisdom of such separation may be well questioned, when it is considered that young men aspiring to the sacred profession are frequently a check upon their companions studying for



other purposes, and are found exerting over them an indirect moral influence of the greatest advantage. Considering, therefore, this Institution in the light of a Missionary Seminary, and the great want of clergymen in Upper Canada, it must be manifest to everyone that, to put it into immediate operation is of the most essential consequence; and, as His Majesty's Government has done so well, it is not perhaps, too much to expect from the friends of pure religion the assistance necessary for supporting the institution till the endowments become available. For this purpose six or seven thousand pounds would be sufficient, a sum not exceeding what was collected by the American Bishops and their friends two years ago. It is not for the purpose of censuring the benevolence of my countrymen to the Sister Church in the United States that I recall the visit of Bishops Hobart and Chase to remembrance, but to shew that the case of Upper Canada, even if it were not an integral part of the Empire and inhabited by fellow-subjects and belonging to the same church, is much stronger than that of Ohio. In his appeal to the British Public, Bishop Chase detailed, with much truth the many privations to which he and his clergy were exposed, and the difficulties and dangers which they had to encounter in disseminating religion in their diocese. To this affectionate appeal the hearts of the religious instantly opened, and the venerable Bishop returned in triumph with ample means for establishing a seminary for bringing up young men to the ministry of the sacred word and ordinances. The writer of this paper is confident that the money thus bestowed will be appropriated in the most judicious and disinterested manner to promote the great object for which it was given, and that it will yield a rich harvest both here and hereafter to the generous donors. But he confidently appeals to the same benevolence for like assistance in a case of still greater necessity. For no person can fail to perceive that our missionaries in Upper Canada are exposed to greater hardships and privations than can possibly be met with in the State of Ohio. Upper Canada is 560 miles long, Ohio only 200, their breadth is, I believe, nearly equal. The population of Upper Canada scattered over this immense country amounts to 200,000, that of Ohio to 800,000, or four times the number settled in a country not, perhaps, one quarter the area, thus making the population in Ohio about sixteen times more dense than in Upper Canada. For every person that a missionary meets travelling through the woods in the British Province, he will meet sixteen travelling in Ohio and consequently the roads are proportionally better. There are not in Upper Canada four persons to a square mile, in Ohio upwards of forty. The difference of wealth is perhaps, still greater, because many of the inhabitants of Ohio are emigrants from the neighboring States who frequently bring with them large capitals, whereas Upper Canada, since its first establishment, has continued the asylum of the poor and destitute. First the refugee Loyalists who sacrificed everything for their king and country; next, discharged soldiers, who if not settled there, would have become a burden on this country, and now, since the general peace, it is filling with paupers from the United Kingdom by which vast sums are annually saved which had been spent supporting them before their emigration. While, therefore, I praise the benevolence extended to Bishop Chase, I am persuaded that all his benefactors will freely admit that our claim is yet stronger, and that, if their ability allow, they will feel conscientiously bound to extend to us similar help.

When it is considered that the Canadas are capable of maintaining a population of twelve or sixteen millions, it is impossible to set limits to the influence which the University of the Upper Province, if wisely and piously directed, may acquire over this vast population, the greater portion of which may, through the Divine blessing, be brought up in the Communion of the Church of England. A farther and more pressing reason for hastening the active commencement of the University will be found in the fact that our Church, in its present state, may be said to be struggling for existence, attacked as she is by the Romish Church and all the sectaires who, though agreeing in nothing else, join in opposing her, because she is the establishment of England. We have to contend with 400,000 Roman Catholics in the sister Province of Lower Canada, under a numerous and regular priesthood, headed by an Archbishop, and four suffragans, and assisted by three colleges; one at Quebec, one at Montreal and one at St. Nicolet, where the different branches of an academical education, as well as theology, are taught.

The paramount influence of the Roman Catholics in Lower Canada, and their decided majority in the Legislature, render all expectations of a great increase of our Church, or of any solid improvements in educating the people, for a long time hopeless. The stream of amelioration must flow from Upper Canada, and the University must be the source of its supply. It will become the rallying point of the Protestant faith, the promoter of sound religious principles and profitable instruction through both Provinces. Nor is there a moment to lose; for the recent emigrations from Ireland are daily adding strength to the Roman Catholics, and diminishing the comparative superiority of Protestants even in Upper Canada.

But appalling as these circumstances are, I cannot help feeling the greatest encouragement from an occurrence connected with the religious instruction of the Canadas, which is now a matter of history. The first step ever taken by the Imperial Legislature towards a recognition of that obvious but still unacknowledged principle that the colonies of a country have as good

a right to moral and religious instruction from the parent state, as to her laws and government, was taken in favour of these Colonies by appointing a Religious Establishment for their benefit according to the forms and ceremonies of the Church of England.

What, indeed, are the great objects of colonization but to provide for the redundancies of population, to afford to meritorious enterprise and industry the means and opportunity of successful exertion, to recognize and improve the unheeded and uncultivated bounties of Nature ; to form, at intermediate points, links of connection between the mother country and the remotest lands to which her commerce can be extended ; and, in addition, to direct to beneficial purposes the talents and labours of those whom the offended laws have banished from their native land. Now, these objects are beneficial to the parent state, producing settlements in the most distant regions, notwithstanding the perils of unhealthy climates and unexplored seas. And shall the various descriptions of emigrants, of which they are composed, encounter all the privations and dangers incident to the formation of such settlements for the advantage of their native land, and be, in the meantime, deprived of their most precious rights and privileges ? Surely, if they are entitled to all the comforts of a moral and religious education by remaining at home, much more ought such comforts to accompany, or, as soon as possible follow them to the remote settlements which they are employed in establishing. And, if any Colony can have a paramount claim over another to a privilege which is the common right of all, it is Canada, more particularly Upper Canada, which was first settled by men driven from their homes by the enemies of their country, many of whom had sacrificed to principle the means which would have enabled them to have procured for themselves and children the benefits of moral and religious instruction.

It is to be lamented that this great country, in establishing colonies, has chiefly confined her views to pecuniary advantage and seems to have forgotten that the attachment of foreign settlements depends infinitely more upon moral and religious feeling than political arrangement or commercial profit. For it is evident that £40,000 per annum (which is scarcely the expense of a single regiment), spent in the support of a zealous clergy in the North American Colonies would do more in producing good feeling and loyal attachment to the religious and political institutions of England than one hundred times the sum spent in any other manner. Religious instruction should be made sufficient and commensurate with the wants of the people in every part of the Empire ; nor should it be thought a matter of indifference in colonial policy, or even of secondary consideration. It should take the lead of all others ; for to form colonies under Christian principles is one of the noblest and most beneficial purposes which governments can fulfil ; nor are the present times, we confess, without some indications that a nobler policy may, at length, be adopted. For the Legislature which, in 1793, considered the claims of the colonies to religious instruction as the suggestion of visionaries and fanatics, although nearly half the Empire had been lost by its neglect, has now sanctioned the adoption of a uniform system of religious instruction for the colonies in the East, as well as in the West. And, if it be followed up with energy and skill, the British Empire will be established on a foundation more absolute than any which unhallowed power can hold in subjection, for it will rest on the opinions and affections of two hundred million of men. Nor will such a policy, sublime and affecting as it is, and pregnant with tranquility and happiness, increase the public expenditure, for, as the influence of Christian principles extend the charge for physical coercion will become less, murmurs will give way to blessings and praise ; and one-fourth of the human race being thus reclaimed, the remainder will gradually follow, and thus the whole earth become the garden of the Lord.

But the return from this sublime and fascinating prospect, it may be reasonably asked by those whose aid we are soliciting, how the clergy are to be supported after they are instructed. I answer from the produce of certain lands which have been appropriated for the maintenance of a Protestant clergy, concerning which arrangements for making them available are now in progress ; from subscriptions by the inhabitants of the more populous districts, which may now be expected to yield something, and to increase gradually in amount ; from the sittings in the towns, which will soon be reasonably productive. Add to all this that the young clergymen must and will serve for some years at a very moderate allowance.

The great difficulty, therefore, which we have to encounter, is a delay of five or six years in commencing our University and the consequent increasing want of religious instruction. It has been shown that 112 additional clergymen are now required, and, by the time that our endowments become available, forty more will be necessary.

Let the friends of religion reflect that this Appeal is in favour of the Household of Faith and ought to be heard before that of the heathen ; that it is our brethren who are perishing or falling away for lack of instruction. The corruption of human nature is strikingly visible in the change which frequently takes place among persons settled in the wilderness. At first they lament their distance from churches and schools, but, by degrees, such lamentations die away, as well as the religious feelings from which they emanated. Living without restraint and with-



out the eye of those whom they respect, a sense of decency and religion frequently disappears. At length, the disinclination to holy things presents itself in all its deformity, a distaste for divine worship and neglect of everything sacred make their appearance, and a total estrangement from God ensues; and, although, from their situation, crimes against society are few, the heart becomes entirely dead to true piety and virtue. Were it not for the women, especially the mothers of families, little that is engaging or amiable would remain in many of the back settlements. It is in such situations that the influence of the female sex is so beautifully exemplified. To their exertions are we often to attribute all the humanity and softness that remain. The Bible, the Prayer Book, the sense of God and His Providence, the blessings of a Saviour, and the hopes of immortality, are by them preserved and introduced to the notice of their children, and brought back at times with effect to the recollection of their husbands. Are not such entitled to cry to the religious of this country, "Come and help us?" If we rejoice in every attempt to communicate the arts, sciences and letters, how much more ought it to be matter of joy to publish the blessings of the Gospel; for, however precious the arts of civilized life—and precious they must be confessed to be—they are infinitely inferior to those sublime truths which purify the affections of the heart, suggest the noblest contemplations to the mind and determine the destiny of the human race. If, then, we believe Christianity to be what it professes, a bright emanation from Heaven, the harbinger of peace and joy, love and felicity to nations, as well as individuals; if we have found from experience that it purifies and exalts our nature, smooths the pillow of death, and opens the gates of immortality, how shall we excuse ourselves from labouring, by every means in our power, to revive its energy in the hearts of those who have been, from their unhappy situation, deprived of instruction? Nor need any fear that their bounty will become like water spilt upon dry ground. No, it will, through the blessing of God, be as good seed sown, bringing forth fifty, sixty, an hundred fold. For the young men, whom such assistance will enable us to educate and send forth among the people in the spirit of the Lord, will not return empty handed. There are times when the consolations of religion are desired by every man—moments of deep affliction of heartrending bereavements, when the weeping spirit bows to the voice of God, and, at such times, a pious and conciliating clergyman cannot fail of making a deep impression. And, indeed, experience proves that, wherever such a clergyman is placed, he very soon collects around him the neighbouring settlers and forms a respectable and increasing congregation.

#### KING'S COLLEGE CHARTER OF 1827, WITH REV. DR. STRACHAN'S EMENDATIONS.

The printed copy of the original Charter of King's College, from which the following is taken, is the one formerly owned by the Reverend Dr. Strachan himself. Its value is enhanced from the fact that it contains, in Dr. Strachan's own handwriting, the emendations which he made in it, and the alterations which he agreed to, as the basis of the amended Charter of 1837, in regard to its exclusive Church of England character.

The reasons why he agreed to these changes and modifications are thus stated by his friend, the Rev. Dr. Bethune, in his *Memoir of Bishop Strachan*, published in 1870—three years after he had succeeded Dr. Strachan as the second Bishop of Toronto. Dr. Bethune said :

There was, no doubt, an unwise and needless stringency in some of the provisions [of the Charter]; and to the writer of these pages, Dr. Strachan himself affirmed, on his return from England, that he had expressed to Lord Bathurst his objection to the provision that the Archdeacon of York, for the time being, should be *ex officio* President of the University; and he stated also his doubts as to whether it was judicious to require from members of the College Council, subscription to the Thirty-Nine Articles. (Page 110).

In 1850, "A Brief History of King's College in Upper Canada from its first germ in 1797, to its suppression in 1850," was prepared under the direction of Dr. Strachan. In it was embodied his speech on the occasion of opening King's



College in 1843. The narrative contained in that speech was continued down to 1850. On page eight of that narrative, the changes made in the original charter by Bishop Strachan are thus referred to:—

In 1837 a Statue (7th William IV., Chapter xvi) was passed [by the Upper Canada Legislature], amending the Charter of King's College, in which all the reasonable objections made against it up to that period, were fairly met.

# COPY OF THE KING'S COLLEGE CHARTER OF 1827, WITH ALTERATIONS.

GEORGE, THE FOURTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, to all these presents shall come.

## GREETING :

Whereas the establishment of a College within our Province of Upper Canada, in North America, for the education of youth in the Principles of the Christian Religion and for their instruction in the various branches of Science and Literature, which are taught in our Universities in this Kingdom, would greatly conduce to the welfare of our said Province. And whereas humble application hath been made to us by many of our loving subjects in our said Province, that we would be pleased to grant our Royal Charter for the more perfect establishment of a College therein and for incorporating the members thereof for the purposes aforesaid ; Now Know Ye, that We, having taken the premises into Our Royal consideration, and duly weighing the great utility and importance of such an Institution have, of Our special grace, certain knowledge, and were motion, ordained and granted, and do by these presents for Us, our Heirs and Successors, ordain and grant, that there shall be established at or near our Town of York, in our said Province of Upper Canada, from this time, one College, with the style and privileges of an University, as hereinafter directed, for the education and instruction of youth and students in arts and faculties, to continue forever, to be called King's College.

And We do hereby declare and grant that *our trusty and well beloved, the Right Reverend Father in God, Charles James, Bishop of the Diocese of Quebec, or the Bishop for the time being of the Diocese in which the said Town of York may be situate, on any future division or alteration of the said present Diocese of Quebec.*

[NOTE.—The foregoing words in italics were altered in Dr. Strachan's own handwriting to read as follows : “ *The Court of King's Bench in and for the said Province.* ”]

Shall for us and on our behalf be visitor of the said College; and that our trusty and well-beloved Sir *Peregrine Maitland* [altered to *John Colborne*] our Lieutenant-Governor of our said Province, or the Governor, Lieutenant-Governor, or other persons administering the Government of our said Province for the time being shall be the Chancellor of our said College.

And we do hereby declare, ordain, and grant that there shall, at all times, be one President of our said College [added by Dr. Strachan : *who shall be appointed by us, our heirs and successors*] who shall be a Clergyman in Holy Orders of the United Church of England and Ireland ; and that there shall be such and so many Professors in different Arts and Faculties within our said College, as from time to time, shall be deemed necessary or expedient and are shall be appointed by us or by the Chancellor of our said College, in our behalf, and during our pleasure.

And we do hereby grant and ordain that the Reverend John Strachan, Doctor in Divinity, Archdeacon of York, in our said Province of Upper Canada, shall be the first President of our said College *and the Archdeacon of York, in our said Province, for the time being, shall, by virtue of such his office, be at all times the President of the said College.* [The words in italics were expunged by Dr. Strachan].

And We do hereby, for Us, our Heirs and Successors, will, ordain, and grant that the said Chancellor and President, and the said Professors of our said College, and all persons who shall be duly matriculated into and admitted as scholars of our said College, and their successors forever, shall be one distinct and separate body politic and corporate in deed and in name, by the name and style of “ The Chancellor, President and scholars of King's College at York, in the Province of Upper Canada ; ” and that by the same name they shall have perpetual succession and a Common Seal, and that they and their successors shall from time to time, have full power to alter, renew or change such Common Seal at their will and pleasure, and as shall be found convenient, and that, by the same name, they, the said Chancellors, President and Scholars, and their successors from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold possess, enjoy and maintain to and for the use of the said College, any messuages, lands, tenements, and hereditaments of what kind, nature or

quality soever, situate and being within Our said Province of Upper Canada, so as the same do not exceed in yearly value, the sum of fifteen thousand pounds, sterling, above all charges, and, moreover, to take, purchase, acquire, have, hold, enjoy, receive, possess and retain, all or any goods, chattels, charitable or other contributions, gifts or benefactions whatsoever.

And We do hereby declare and grant that the said Chancellor, President and Scholars, and their successors by the same name, shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer or be answered, in all or any Court or Courts of Record within our United Kingdom of Great Britain and Ireland, and Our said Province of Upper Canada, and other Our Dominions, in all and singular actions, causes, pleas, suits, matters and demands whatsoever, of what nature or kind soever, in as large, ample, and beneficial a manner and form, as any other body politic or corporate, or any other Our liege subjects, being able and capable in law, may or can sue, implead or answer, or be sued, impleaded or answered, in any manner whatsoever.

And We do hereby declare ordain and grant that there shall be within Our said College or Corporation, a Council to be called and known by the name of "The College Council," and We do will and ordain that the said Council shall consist of the Chancellor and President for the time being, and of seven of the Professors in Arts and Faculties of Our said College; and that such seven Professors shall be members of the Established United Church of England and Ireland, and shall *previously to their admission into the said College, severally sign and subscribe the Thirty-nine Articles of Religion as declared and set forth in the Book of Common Prayer.*

[NOTE—These words in italics were expunged by Dr. Strachan.]

And, in case, at any time, there should not be within Our said College seven Professors of Arts and Faculties, being members of the Established Church aforesaid, then Our will and pleasure is and We do hereby grant and ordain that the said College Council shall be filled up to the requisite number of seven, exclusive of the Chancellor and President for the time being, by such persons being graduates of Our said College, and being members of the Established Church aforesaid, as shall, for that purpose, be appointed by the Chancellor for the time being, of Our College, *and which members of Council shall in like manner, subscribe the Thirty-nine Articles aforesaid, previously to their admission into the said College Council.*

[NOTE—These words in italics were expunged by Dr. Strachan.]

And whereas it is necessary to make provision for the completion and filling up of the said Council at the first institution of Our said College, and previously to the appointment of any Professors, or the conferring of any Degrees therein; now We do further ordain and declare that the Chancellor of Our said College for the time being, shall, upon or immediately after the first institution thereof, by Warrant under his hand, nominate and appoint seven discreet and proper persons, resident within Our Province of Upper Canada, to constitute jointly with him, the said Chancellor and the President of Our said College for the time being, the first or original Council of our said College; *which first or original members of the said Council shall in like manner, respectively subscribe the Thirty-nine Articles aforesaid, previously to their admission into the said Council.*

[NOTE.—These words in italics were expunged by Dr. Strachan.]

And We do further grant and declare that the members of the said College Council, holding within Our College the offices of Chancellor, President or Professor in any Art or Faculty, shall respectively hold their seats in the said Council, so long as they and each of them shall retain such their said offices as aforesaid, and no longer, and that the members of the said Council, not holding offices in Our said Council, shall, from time to time vacate their seats in the said Council, when and so soon as there shall be an adequate number of Professors in Our said College being members as the Established Church aforesaid, to fill up the said Council to the requisite number before mentioned.

And We do hereby authorize and empower the Chancellor, for the time being, of Our said College, to decide in each case what particular member of the said Council, not holding any such office as aforesaid, shall vacate his seat in the said Council, upon the admission of any new member of Council holding any such office.

And We do hereby declare and grant that the Chancellor, for the time being, of Our said College, shall preside at all meetings of the said College Council, which he may deem it proper or convenient to attend, and that, in his absence the President of Our said College shall preside at all such meetings; and that in the absence of the said President, the senior member of the said Council present at such meeting, shall preside thereat; and that the said seniority of the members of the said Council, other than the Chancellor and President, shall be regulated according to the date of their respective appointments. Provided, always, that the members of the said Council, being Professors in Our said College, shall, in the said Council, take precedence over and be considered as seniors to the members thereof, not being Professors in Our said College.



And We do ordain and declare that no meeting of the said Council shall be or be held to be, a lawful meeting thereof, unless five members, at the least, be present during the whole of every such meeting ; and that all questions and resolutions proposed for the decision of the said College Council, shall be determined by the majority of the votes of the members of the Council present, including the vote of the presiding member ; and that, in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote.

And We do further declare that, if any member of the said Council shall die or resign his seat in the said Council, or shall be suspended or removed from the same, or by reason of any mental or bodily infirmity, or by reason of his absence from the Province, become incapable, for three calendar months or upwards, of attending the meetings of the said Council, then, and in every such case, a fit and proper person shall be appointed by the said Chancellor to act as, and be, a member of the said Council in the place and stead of the member so dying or removing, or so suspended or removed, or incapacitated, as aforesaid ; and such new member succeeding to any member so suspended or incapacitated, shall vacate such his office on the removal of any such suspension, or at the termination of any such incapacity as aforesaid, of his immediate predecessor in the said Council.

And We do further ordain and grant that it shall and may be competent to and for the Chancellor, for the time being, of Our said College, to suspend from his seat in the said Council any member thereof for any just and reasonable cause to the said Chancellor appearing. Provided, that the grounds of every such suspension shall be entered and recorded at length by the said Chancellor in the books of the said Council and signed by him ; and every person so suspended shall thereupon cease to be a member of the said Council, unless and until he shall be restored to and re-established in such his station therein by any order to be made in the premises by Us or by the said Visitor of Our College, acting on our behalf, and in pursuance of any special reference from Us.

And We do further declare that any member of the said Council, who, without sufficient cause to be allowed by the said Chancellor, by an order entered for that purpose on the books of the said Council shall absent himself from all the meetings thereof, which may be held within any six successive calendar months, shall, thereupon, vacate such his seat in the said Council.

And We do by these presents, for Us, Our Heirs and Successors, will ordain and grant that the said Council of Our said College shall have power and authority to frame and make Statutes, Rules and Ordinances, touching and concerning the good government of the said College, the performance of Divine service therein, the studies, lectures, exercises, degrees in Arts and Faculties, and all matters regarding the same, the residence and duties of the President of Our said College, the number, residence and duties of the Professors thereof, the management of the revenues and property of Our said College, the salaries, stipends, provision and emoluments of, and for, the President, Professors, scholars, officers and servants thereof, the number and duties of such officers and servants, and also touching and concerning any other matter or thing which to them shall seem good, fit and useful, for the well being and advancement of Our said College and, all agreeable to this Our Charter ; and also from time to time, by any new statutes, rules and ordinances to revoke, renew, augment or alter, every or any of the said statutes, rules and ordinances as to them shall seem meet and expedient. Provided always, that the said statutes rules and ordinances, or any of them, shall not be repugnant to the laws and statutes of the United Kingdom of Great Britain and Ireland, or of Our said Province of Upper Canada or to this Charter. Provided, also, that the said statutes, rules and ordinances, shall be subject to the approbation of the said Visitor of our said College, *for the time being*. And shall be forthwith transmitted to the said Visitor for that purpose ; and that, in case the said Visitor shall for Us, and our behalf in writing signify *his* [their] disapprobation thereof, within two years of the time of their being so made and framed, the same, or such part thereof as shall be so disapproved of by the said visitor, shall, from the time of such disapprobation being made known to the said Chancellor of Our said College, be utterly void and of no effect, but otherwise, shall be and remain in full force and virtue.

[NOTE.—The words in italics were struck out by Dr. Strachan, and “their” substituted for “*his*.”]

Provided, nevertheless, and We do hereby expressly save and reserve to Us, Our Heirs and Successors, the power of reviewing, confirming or reversing, by any order or orders to be by Us or them, made in Our or their Privy Council, all or any of the decisions, sentences or orders, so to be made, as aforesaid, by the said Visitor, for Us and in Our behalf, in reference to the said statutes, rules and ordinances or any of them.

And We do further ordain and declare that no statute, rule or ordinance, shall be framed or made by the said College Council touching the matters aforesaid, or any of them, excepting only such as shall be proposed for the consideration of the said Chancellor, for the time being, of Our said College.



And We do require and enjoin the said Chancellor thereof to consult with the President of Our said College, and the next senior member of the said College Council, respecting all statutes, rules and ordinances, to be proposed by him to the said Council for their consideration.

And We do hereby, for Us Our Heirs and Successors charge and command that the statutes, rules and ordinances, aforesaid, subject to the same provisions, shall be strictly and inviolably observed, kept and performed, from time to time, in full vigour and effect, under the penalties to be thereby or therein imposed or contained.

And We do further will, ordain and grant, that the said College shall be deemed and taken to be an University, and shall have and enjoy all such and the like privileges as are enjoyed by Our Universities of Our United Kingdom of Great Britain and Ireland, as far as the same are capable of being had or enjoyed by virtue of these Our Letters Patent. And that the students in the said College shall have liberty and faculty of taking the Degrees of Bachelor, Master and Doctor, in the several Arts and Faculties, at the appointed times; and shall have liberty, within themselves, of performing all scholastic exercises for the conferring of such Degrees, in such manner as shall be directed by the statutes, rules and ordinances of the said College.

And We do further will, ordain and appoint that no religious test or qualification shall be required of, or appointed for, any persons admitted or matriculated as scholars within Our said College, or of persons admitted to any Degree in any Art or Faculty therein, save only, that all persons admitted within Our said College to any Degree in Divinity, *shall make such and the same declarations and subscriptions, and take such and the same oaths, as are required of persons admitted to any Degree of Divinity in Our University of Oxford.*

[NOTE.—The words in italics were altered by Dr. Strachan so as to read as follows: "respecting whom such regulations may be made as the College Council shall deem fit."]

And We do further will, direct and ordain, that the Chancellor, President and Professors of Our said College, and all persons admitted therein to the Degree of Master of Arts, or to any Degree in Divinity, Law or Medicine, and who, from the time of such their admission to such Degree, shall pay the annual sum of twenty shillings, sterling money, for and towards the support and maintenance of said College, shall be and be deemed, taken and reputed to be, members of the Convocation of the said University; and, as such members of the said Convocation, shall have, exercise and enjoy all such and the like privileges as are enjoyed by the members of the Convocation of Our University of Oxford, so far as the same are capable of being had and enjoyed, by virtue of these Our Letters Patent, and consistently with the privileges thereof.

And We will, and by these presents for Us, Our Heirs and Successors, do grant and declare that these Our Letters Patent, or the emolument or exemplification thereof, shall and may be good, firm, valid, sufficient and effectual in the law, according to the true intent and meaning or the same; and shall be taken, construed and adjudged in the most favourable and beneficial sense, for the best advantage of the said Chancellor, President and Scholars of Our said College, as well as in Our Courts of Record, as elsewhere and by all and singular Judges, Justices, Officers, Ministers, and other subjects whatsoever of Us, Our Heirs and Successors, any misrecital, non-recital, omission, imperfection, defect, matter, cause or thing, whatsoever to the contrary thereof, in anywise notwithstanding.

In witness whereof, We have caused these Our Letters to be made Patent.

Witness Ourselves at Westminster, the fifteenth day of March, in the eighth year of Our Reign (1827).

By Writ of Privy Seal,

BATHURST.

On the 31st of the same month, Earl Bathurst, Colonial Secretary, sent the following Despatch, in regard to this Charter, to the Lieutenant-Governor, Sir Perigrine Maitland:

I have the honour to inform you that His Majesty has been pleased to grant a Royal Charter by Letters Patent, under the Great Seal, for establishing at or near the Town of York, in the Province of Upper Canada, one College, with the style and privileges of a University, for the education and instruction of youth in Arts and Faculties, to continue for ever to be called King's College.

I am further to acquaint you that His Majesty has been pleased to grant one thousand (£1,000) per annum,\* as a fund for erecting the buildings necessary for the College, to be paid out of the moneys furnished by the Canada Company, and to continue during the term of that agreement.

I have to authorize you, on the receipt of this Despatch, to exchange such Crown Reserves as have not been made over to the Canada Company for an equal portion of the lands set apart for the purpose of education and foundation of a University, as suggested in your Despatch of the 19th of December, 1825, and more fully detailed in Dr. Strachan's Report of the 10th of March, 1826; and you will proceed to endow King's College with the said Crown Reserves with as little delay as possible.

BATHURST.

TO MAJOR-GENERAL SIR PEREGRINE MAITLAND, K.C.B.

Rev. Dr. Strachan having been detained in England longer than was expected, Lord Goderich, (formerly Lord Ripon), then Colonial Secretary, in succession to Earl Bathurst, certified the account of his personal expenses, in a Despatch to the Lieutenant-Governor, Sir Peregrine Maitland, dated Downing Street, London, 28th of June, 1827, as follows:

You are already aware that a Royal Charter for establishing a University in the Province of Upper Canada has passed the Great Seal, and of which the Rev. Dr. Strachan is the bearer.

As Dr. Strachan was sent home to solicit this Charter, and has been detained on the concerns of the Church and other matters of great interest to the Province, you will consider yourself authorized to make him such remuneration from the Clergy Reserve Fund at your disposal, as, on account of the length of his detention in this country, and the trouble and expense to which he has been exposed, may seem reasonable.

GODERICH.

TO MAJOR-GENERAL SIR PEREGRINE MAITLAND, K.C.B.

These expenses of the Rev. Dr. Strachan not having been paid in 1827, or some time afterwards, the Lieutenant-Governor directed the Honourable Joseph Wells, Bursar of King's College, to pay them. His Secretary's letter to the Bursar was dated the 8th of July, 1828, and is as follows:

In pursuance of the tenor of a Despatch received by the Lieutenant-Governor from His Majesty's Principal Secretary of State for the Colonies, dated 28th of June, 1827, I am commanded by His Excellency to convey to you his authority to pay to the Honourable and Venerable John Strachan, out of such moneys as are in or shall come into your hands, on account of the University of King's College, the sum of six hundred and seventy-eight pounds, six shillings and eightpence currency (£678 6s 8d), being the moiety of his expenses incurred on a journey to and from England, and eighteen months' detention there, at the instance of the Secretary of State, whilst engaged in soliciting from His Majesty's Government the Charter of King's College, and attending to the affairs of the Established Church.

G. HILLIER.

TO THE HONOURABLE JOSEPH WELLS.

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\* This one thousand pounds per annum was granted out of the yearly payments by the Canada Company for lands sold to it in 1825-6, and for which that Company had agreed to pay to the Government, by instalments from 1826 to 1842, at the rate of from £15,000 to £20,000 sterling per annum.

## CHAPTER XLIV.

## GRAMMAR AND COMMON SCHOOL RETURNS FOR 1827.

The following returns of the Grammar and Common Schools in Upper Canada for the year 1827, were sent in to the Rev. Dr. Strachan, Chairman of the General Board of Education for Upper Canada, and were, by Message from His Excellency the Lieutenant-Governor, laid before the Legislature in that year, viz. :

*Eastern District Grammar School.*—In answer to your communication, I beg leave to state that the whole number of pupils attending the School is thirty-eight, of which eight are girls. Of the boys, eighteen are learning Latin, and are divided into three classes, as follows :

1st Class, consisting of four, read in Ovid's *Metamorphoses*, and are ready to begin Sallust, having just completed their reading in Cæsar's *Commentaries*.

2nd Class, consisting of seven, read in Adams' *Select Lessons* and Mair's *Introduction to Latin Syntax*, and are ready to commence the *Lives of Cornelius Nepos*.

3rd Class, consisting of six, are finishing Rudimann's *Latin Rudiments*. One boy is reading *Virgil*.

Of the remaining twelve boys, five are learning English Grammar and reading Murray's *Introduction* ; five are spelling words of four or five letters in Mavor's *Spelling Book* ; two confine their attention exclusively to writing and arithmetic.

The boy of the first Latin Class and the boy reading *Virgil* have just finished the First Book of Euclid's *Elements of Geometry*, and are about to begin a course of *Algebra*.

All the Latin boys are exercised twice a week in *Geography* (Ancient and Modern) and four times a week in *Arithmetic*.

This being my first report since my appointment to the charge of the Public School of the Eastern District, I know not whether I have enlarged too much or entered less into detail than may be required. In either case I beg that may be ascribed to my inexperience. I may mention that I have engaged an assistant in the school since the month of August last.

H. URQUHART, Master.

*Ottawa District Grammar School.*—I received your letter requesting me to forward to you a report of the state of the Ottawa District School. In answer to which I beg leave to say that the number of scholars at present attending the school is twenty-seven, and they are arranged in classes as follows, viz. :

Since I had the honor of reporting before on the state of the school, the scholars studying Greek and Latin under me, have left the school, and no others have yet supplied their place ; they have gone to Burlington College in the United States, there being a great tendency in this place to send their children to finish their education in the States.

We have an excellent schoolhouse built of stone and lime, well fitted up and large enough to accommodate from 50 to 60 scholars.

The School is regularly taught by myself and Mr. Gates as my assistant, and I have always since my appointment given every encouragement to education by making my fees very low.

JOHN McLAURIN, Master.

*Midland District Grammar School.*—This report contains simply the classification of the boys of the Midland District School on the 27th day of November, 1827. Number of boys, fifty-one

JOHN WILSON, Master.

*Newcastle District Grammar School.*—In reply to your letter of the 16th, ultimo, I beg leave to state for the information of the General Board of Education that the number of boys at present attending the District School amounts to twenty-three and may be classed in the following order. . . . During a part of the year the number generally amounts to 30. I may also state that last year one boy completed his education for the profession of the Law and is now with Mr. G. Boulton.

DAVID OVANS, Master.



*Home District Grammar School.*—The Rev. Thomas Phillips, D.D., the Teacher of the Home District School, of York, in the Province of Upper Canada, in conjunction with the Royal Grammar School annexed thereto, by command of His Excellency the Lieutenant-Governor, Sir Peregrine Maitland, begs leave most respectfully to report to the Honourable and Reverend the President of the Board of Education and to the Trustees of the said school in the manner following: Number of pupils in the Royal Grammar and District School, this day, the 13th March, 1827, fifty-seven, of which there are seven classes are studying the Greek Roman languages. All are studying the English language grammatically and are instructed in reading, writing and arithmetic; four classes are studying geography and five of the young men are studying mathematics and practical geometry.

On Friday, the 19th of January, 1827, His Excellency the Lieutenant-Governor visited the Royal Grammar School, York, and was pleased to signify his approbation of the manner in which the young gentlemen performed their various scholastic exercises. The Company present was numerous and were highly gratified with the interesting scene. Several pieces were spoken on the occasion: One, for the commencement of the year 1827, was spoken by Master G. Sherwood after a hymn was sung. One, to the ladies, was spoken by Master John Boulton, immediately after he had repeated the original Greek Ode. *U. E. Loyalist*, York, January, 1827.

*Niagara District Grammar School.*—Report of the state of education in the Niagara District School for the year 1827, by the Rev. Thomas Creen, Master. Number of pupils, eighteen.

Mr. Creen was appointed Master of this School in 1822; and, in 1823-24, the number of pupils averaged 85, a majority of whom were studying the classics. Walter Dickson, Charles Secord, Miles O'Reilly, Thomas Taylor and William Winterbottom, Students at law, received their classical education principally in this school under Mr. Creen. In consequence of the removal of the head-quarters of the Regiment, the District School has been deprived of considerable support from the officers' families. Some of our pupils have been removed to the Royal Grammar School at York, and during the past two years two rival schools have been commenced in this town. Notwithstanding these circumstances Mr. Creen is happy to add that the District School is on a very respectable footing, and, with the valuable and efficient assistance of Mr. Alexander, Assistant Master, will continue to be highly useful to the public.

*Summary.*—In the eleven Districts of Upper Canada three hundred and twenty-nine scholars attended the eleven District Grammar Schools in 1827.

#### UPPER CANADA COMMON SCHOOL RETURNS FOR THE YEAR 1827.

There were three hundred and sixty-four Common Schools, and nine thousand, eight hundred scholars in the eleven Districts of Upper Canada.

*Eastern District Common Schools.*—In compliance with the provisions of the ninth section of the Provincial Statute of 1816 for the establishment of Common Schools, the Board of Education for the Eastern District respectfully have to report that the half year ending in December, 1826, there were forty-five Common Schools in the Eastern District, the teachers of which received their respective portions of the provincial allowance. That from the report of the Trustees of these schools there appears to have been one thousand one hundred and thirty-six scholars during that period, who were receiving instruction in reading, writing and arithmetic, and in some instances geography and English grammar. From December, 1826, to June, 1827, there were forty-six schools and one thousand, one hundred and sixty-nine scholars.

The Board still entertains the opinion expressed in the report of last year, that the allowance from Government, small as it certainly is to each teacher, operates as an encouragement and an inducement to many of them to retain their situations, and to the poorer class, it affords a stimulus to have schools established where, otherwise, there would be none.

The Trustees of the different schools express themselves satisfied with the conduct of the teachers some of whom are extremely well qualified for their situations. Joseph Anderson, D. McDonell, A. McLean, Members of the District Board.

*Ottawa District Common Schools.*—We, the subscribers, Members of the Board of Education in the Ottawa District, in compliance with the Official Circular of the 24th October, 1825, respectfully report, that the Common Schools of the said District are now eleven in number, and are kept by Masters duly qualified, as the Act of Parliament directs, and we have recommended the appropriation of the sum of £126 10s for the support of the said schools for the year commencing the first June last. George Hamilton, Alexander Grant, Philo Hall, Members of the District Board.

*Bathurst District Common Schools Summary.*—Teachers, thirty nine, boys, five hundred and seventy-three, girls four hundred and thirty four. Michael Harris, G. H. Reade, Members of the District Board.

*District of Newcastle Common Schools.*—It will here be perceived that twenty-one schools are now on the books of the Board of Education for this District. Four have as yet given in no report, but were passed at the last general meeting of the Board, as approved.

Hitherto the number of schools has permitted an allowance of twelve pounds ten shillings per annum to each, but it is probable, from their increasing number, that next year, that amount will be diminished. A. N. Bethune, Member of the District Board.

#### MISCELLANEOUS EDUCATIONAL INFORMATION ABOUT SCHOOLS IN 1826-7.

*Niagara.\**—In the *Niagara Gleaner* of the 12th of August, 1826, the following notice appeared :

The Rev. Thomas Handcock, A.B., of Trinity College, Dublin, Assistant Chaplain to the force at Niagara, informs the public that he has opened an Academy for the instruction of youths in Greek, Latin, etc., at Butler's Barracks.

On the 9th of September, 1826, a strong appeal was made in a letter to *The Gleaner* for the erection of a School House, as the population of the town was then over 1,200, and as they had an able teacher in Mr. Thomson.

In 1827 the Rev. James Fraser, Presbyterian Minister, gave notice that he would open a class for teaching the various branches pertaining to the literary professions.

On the 2nd of June, 1827, the following certificate was published by the Rev. Thomas Green and the Rev. Thomas Handcock : " We have great pleasure in testifying to the ability and fitness of Mr. David Thomson, teacher of the Common School in the Town of Niagara, and in congratulating the parents of the children taught by Mr. Thomson."

On the 23rd of February, 1827, the pupils of the school contributed eleven shillings and one penny half-pence for the distressed Greeks, as this was the year in which the naval battle of Navarino was fought. (Mr. David Thomson was the author of the *History of the War of 1812*, published at Niagara.)

Among the pupils taught by the Reverend Thomas Green—afterwards Rector of Niagara—were Messieurs Miles O'Reilly, Thomas and W. Fuller, Thomas Burns, R. Miller, W. H. Dickson ; also Judge Miller and Captain Geale. Several of his ex-pupils placed a tablet to his memory in St. Mark's Church. He was an Irishman although educated at Glasgow University and was a good classical scholar.

*St. Catharines.*—On the 5th of May, 1827, a meeting was called by notice in the *Farmers' Journal and Welland Canal Intelligencer*, and was held in Mr. Dyer's Merchants' Exchange "to take into consideration the propriety of raising subscriptions, and adopting measures, for erecting a building suitable for an Academy in this village." The meeting was a large and respectable one. Dr. Chauncey Beadle was appointed Chairman, and Mr. Henry Mittleberger, Secretary. The amount required to be raised was put down at four thousand dollars, and the following gentlemen were appointed to collect the same, viz., Messieurs Oliver Phelps, Lyman Parsons, Nathan Pawling, Chauncey Beadle, H. N. Monson, John Gibson and John Lampman, of Grantham ; John Clark and William Adams, of Louth ; Jacob Keefer and Hall Daws, of Thorold ; Alexander Hamilton, of Queenston ; James Macklem, of Chippewa ; Rev. Mr. Eastman and Smith Griffin, of Twenty-Mile Creek, and Henry Nelles, of Grimsby. Shares were apportioned at fifty dollars each, payable in three instalments, and in cash, materials or produce. This was the origin of the Grantham Academy, which was incorporated in 1830.

In the same paper of September 16th, 1829, a notice was inserted to the effect that the Grantham Academy, being provided with teachers of unquestionable character and acquirements, was opened for the reception of scholars on Monday morning last. The Principal is Mr. William Lewis, and the female department is superintended by Miss Cornelia Converse.

†*Montague.*—The Township of Montague, bordering on the Rideau River, was surveyed in 1774 by Mr. William Fortune.

In 1802 the settlers numbered about ninety, and then, soon afterwards, the education of the youth commenced.

\*Condensed from information furnished by Miss Carnochan, Niagara.

†Condensed from information furnished by Mr. William Manson, St. Catharines.

‡Condensed from information furnished by Mr. Francis J. Frost, Smith's Falls.



In 1804, a school was opened in Montagu, Lot 20, Concession 2, under Mr. Jesse McIntyre. It was taught in his own house. Afterwards a School House was built on Lot 24, and in it other teachers were engaged and taught, but whose names have been forgotten.

In 1815, immigrants were arriving and took up farms on what was known as "The Settlement of the Rideau." Here and there a school was opened as the number of settlers increased.

*Perth.*—In response to a request which I made to the Board of Education at Perth for particulars as to the schools first established in that town, a Committee was formed to collect the desired information and send it to me. This Committee consisted of His Honour Judge Senkler, Dr. J. D. Kellock and Messieurs R. J. Drummond, (Chairman), T. Cairns and Charles Meighen. The information sent, although somewhat late in reaching me, is condensed as follows:

In 1815, under the colonization regulations, Highlanders settled at and above the corners of four townships, of Bathurst, Burgess, Elmsley and Drummond. The locality was known as the "Scotch Line." The Reverend William Bell accompanied the settlers, and was allowed £100 a year as their Minister. Mr. John Holliday, (father of Mr. James Holliday, now an old resident in Perth,) was sent with the settlers as their Teacher, at a salary of £50 per annum. He taught the first school on the "Scotch Line," (Lot No. 21, Concession 1 of Bathurst,) not far from what is now the centre of the Town of Perth.

On the 15th of November, 1822, a Board of Quarter Sessions was constituted at Perth. It consisted of Doctors Thom and Reade, (the Honourable) William Morris, Colonel Taylor and Father John McInald. This Board received £100 a year for school purposes, until the school or schools should be self supporting. Under the District (Grammar) School Act of 1820, the Board had the right to nominate ten pupils as free scholars in the District (Grammar) School. This gave rise to a good deal of hard feeling, because of the nomination now and then by the Board of the sons of, or the sons of relatives of, members of the Board.

Mr. John Stuart, was the first Master of this District (Grammar) School. He was succeeded, in 1830, by Mr. William Kay.

The Reverend Ephraim Patterson, late Rector of Stratford, was the last surviving free scholar, nominated by the late Honourable William Morris.

In 1822, Mr. Benjamin Tett opened a school in a house, which is now Mr. John Riddell's on Heriot Street, and, in 1825, opened school in a house opposite to the site on which is now erected the Methodist Church.

Mr. Dawson Kerr kept a school next to the Methodist Church, now on Gore Street.

From 1827 to 1832, Mr. John Wilson, afterwards Judge Wilson, kept a private school in the Fraser House on Craig Street, and afterwards moved his school to the Thompson property on Gore Street.

On the road allowance between the Townships of Beckwith and Ramsay, a school was established in "an unsightly log shanty," at a place now in the middle of the Town of Carleton Place. It was taught by Mr. Kent, who was said, notwithstanding the mean pretension of the school house, to have been a good master.

Where the Village of Middleville now stands, in the Township of Ramsay, a school house was put up, and was occupied by Mr. Robert Mason and his scholars.

From these school houses have issued many trained scholars, who have made a name for themselves, and none the less so from among those who were the original scholars of the District of Bathurst. Some still living have a keen recollection of corporal punishment inflicted by early teachers, "not wisely, but too well."\*

*Cornwall.*†—The first school in Cornwall, of which there is any record, was the one established by the Reverend John Strachan, in the year 1803. This school up to 1807, was carried on as a private enterprise, when it came under the provisions of the District (Grammar) School Act of that year, (1807). The Cornwall Grammar School soon became known through the length and breadth of the land. The list of Mr. Strachan's pupils shows the names of many who were in their day, the leading men in Canada.

NOTE.—A list of these names will be found on page 43, *ante*.

\*The remainder of this sketch, from the "early forties," will be given in its order later on.

†Contributed by Mr. C. J. Mattice, Treasurer of the United Counties of Stormont, Dundas and Glen-garry, Cornwall.



After Mr. Strachan moved to York, in 1812, the School was carried on by Reverend John Bethune, (afterwards Dean of Montreal,) until 1815. His successors were the Reverends Joseph Johnston, Henry James and Harry Leith.

In 1827, the School was placed under the charge of the Reverend Hugh Urquhart, who was a most successful Teacher. He remained in charge until 1840. Among his pupils were the Honourables John Sandfield Macdonald\* and Philip VanKoughnet; their Honours, J. F. Pringle, and D. S. McQueen, County Court Judges; the Reverend J. F. S. Mountain, D. D., and Messieurs M. R. VanKoughnet, Archibald John McDonell, Barristers; John Molson, William Molson, Bankers; Robert and George Hamilton, Merchants; Moss K. Dickenson, M.P., and J. J. Dickinson, M. D.

No building was put up for a school house until 1806, when the wooden house, still standing on Lot No. 18, south of Second Street, was erected. It was a cold, bare room, void of paint; windows six feet above the floor, filled up with long desks, at each of which eight or ten boys sat—the seats being common benches, without backs. The accommodation provided for teachers and scholars in the Cornwall High School, from its first start, in 1806, until as late as 1877, was very poor. In 1856, a small brick school house was built on another lot. It was an improvement on the old one, though by no means comfortable or adequate to the purposes for which it was intended. It was used for twenty years, when the present commodious building was erected in 1877.

*Peterborough.*†—The first school house in Peterborough was erected in 1826. It was a log building, and stood on the ground now occupied by the shed in the play-ground, in rear of the present Union School building.

The Reverend Samuel Armour, conducted this school for several years, and was succeeded by the Reverend Moses Williams, the Reverend Robert J. C. Taylor and Mr. B. W. O'Grady, B.A., T.C. D.

As the Town progressed other schools, specially devoted to the branches usually taught in common schools were organized, and then this building was appropriated solely to the purpose of a Grammar School.

*St. Thomas.*‡—About the year 1829, St. Thomas with a population of some 300 was laid out as a Village.

\* At a public dinner given to the Hon. J. Sandfield Macdonald in 1870, he thus referred to his early school days:—

"My friend, Judge Jarvis, has referred to my early life, and has very properly remarked that this is the country that offers the widest field to the industrious, or to a man of energy if he only possesses a modicum of brains. . . . It is true what the Judge states that I arrived in Cornwall forty years ago next autumn. . . . I was engaged in a dry goods store. But the Judge has told you that I was not satisfied with that state of things. I went to the School here, which has had a reputation it may be proud of ever since the time of the late Bishop Strachan. It was the school that educated the Bouldons, the McGills and the Jarvises. In that School I entered, and there I had to strive with those who were able to be maintained by their parents. I worked against them at a great disadvantage, and would have succumbed but that I was cheered on by my venerable preceptor (Dr. Urquhart). Many others have struggled in that School of whom Canada should be proud. One of them particularly. He was one of the brightest and most talented of the men our eastern district can boast of. But providence has thought proper to take him away from his sphere of usefulness. Need I say that I refer to that ornament of the Bench, the late Chancellor VanKoughnet.—Were Dr. Urquhart able to boast of no other pupil but that honourable gentleman, he might have retired on his laurels. If that old gentlemen had not sent me a letter of encouragement I would not have been here, as I was about to break down for want of means. This letter was written in 1835, and . . . I cannot help shewing what was thought of me by one who had the most perceptive idea of the ability of his pupils. This letter had the effect of making me bear up in my struggle with my superiors in position and was as follows:

"These certify that the bearer, Mr. John S. Macdonald, was a pupil in the Eastern District School, from the 19th November, 1832, to the 23rd December last; that during that period his industry and application were close and assiduous, and that his progress in the several branches of study, to which he directed his attention, was highly respectable, and very considerably exceeded what is usually made in the same space of time; that the perseverance manifested in overcoming the difficulties to be encountered at the outset of a classical and mathematical education, called forth the particular remark and approval of his teacher, as indicating considerable energy of character, and as an earnest of future success in the prosecution of his studies. Moreover, that his general deportment during the same period, was in every way exemplary, and becoming, evincing at all times a kindly disposition towards his fellow students and a most respectful deference to the discipline of the school; and that, if the good opinion and good wishes of his teacher can on any occasion profit him, he is justly entitled to both."

"I owe all the spirit of independence which I have maintained throughout my career, to my learning in that school."

Mr. Macdonald died in 1872, in the sixtieth year of his age.

† Contributed by Mr. W. G. Morrow, Secretary-Treasurer of the Board of Education, Peterborough.

‡ Contributed by Mr. Edward McCrone, St. Thomas.

The villagers were seemingly of a superior class, for as early as 1824, at a public meeting of the inhabitants it was resolved to erect a school house in which, to use the quaint phraseology of the time, "the classical languages should be taught." Until such a building could be got, a Grammar School was opened by Mr. Stephen Randal, to whom belongs the distinction of having been the first classical Master of St. Thomas, in a leased building, in the upper room of which was held the Court of King's Bench. The Judge of which was the late Judge Sherwood, and the King's Attorney the late Sir John Beverley Robinson. With such distinguished neighbours the school could not fail to be a success, and was. The same year Colonel Malhon Burwell presented the inhabitants with a building lot part of the property now of Judge Ermatinger. The lot of thirty-six square rods in area, was conveyed by deed to his Majesty King George the Fourth for school purposes, and out of it was erected a Public and a Grammar school in 1825. The Grammar School was removed to its new location, and was known as the Talbot Seminary. Mr. Randal continued teaching there for several years, followed by the Rev. David McKenzie, John Walker, Rev. John Fraser and others.

Many teachers since Mr. Randal's time have come and gone, but the same spirit that imbued the people of the "long ago" still holds good with those of the present, and the good work of the Seminary, Grammar or High School is still continued with unflagging zeal in the present, and not a few pupils, "men of mark" can look back with thankfulness at the facilities they had of enabling them to fight the battle of life that the higher education in the old and affectionately remembered school house enabled them to attain.

## CHAPTER XLV.

### EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1828.

There being no copy of the proceedings of the Legislative Council for 1828, in either of the Parliamentary Libraries at Ottawa, or Toronto, I am unable to give any but the educational proceedings of the House of Assembly for that year.

The Members of the House of Assembly who took part in its educational proceedings were Messieurs John Mathews, Alexander Wilkinson, James Gordon, William Thompson, Edward McBride, Charles Jones, John Rolph, Francis L. Walsh, George Hamilton, Thomas Hornor, Paul Peterson, Marshall S. Bidwell, Peter Perry, James Wilson, Robert Randal, Duncan McCall, William Morris, and Alexander McDonell.

The most noted of these Members, not already mentioned, were Messieurs John Mathews, John Rolph, James Gordon, Francis L. Walsh, Peter Perry and Robert Randal.

The Honourable John Rolph, M.D., son of Dr. Thomas Rolph, was a native of Gloucestershire, England. He came to Canada in 1808. He returned to England and graduated at Cambridge. He was afterwards called to the Bar of the Inner Temple. After he returned to Canada he settled in the County of Norfolk. He was an able speaker, and espoused the popular side in the Gourley and Bidwell cases.\* He and Captain Mathews, were returned as Members for the County

\* For reference to these cases, see pages 80 and 122, *ante*.



of Middlesex in 1825 and 1829. For many years he occupied a prominent place in public affairs, and was, in his later life, Commissioner of Crown Lands. As a physician, he was distinguished for his ability and skill.

Mr. Peter Perry, a close friend of the Honourable Marshall S. Bidwell, exercised a good deal of influence in the Legislature. He and Mr. W. L. Mackenzie were also friendly actors together in the House of Assembly.

Mr. Francis L. Walsh was Registrar of the County of Norfolk after he retired from the Legislature. He lived to the patriarchal age of over 90 years.

Captain John Mathews was censured by the War Office for having, as a retired officer, improperly conducted himself in December, 1825, at a theatre when American National airs were being sung. The House of Assembly investigated the charge, and exonerated him. He and Mr. Robert Randal were involved in some financial affairs, which were also investigated by the House of Assembly, and the matters were fully explained.

On the 18th January, 1828, His Excellency, Sir Peregrine Maitland, Lieutenant Governor, opened the fourth session of the Ninth Parliament of Upper Canada with the usual Speech from the Throne, in which referred to the University Charter in the following terms :

I have much pleasure in announcing to you that His Majesty has very graciously provided for the establishment of an University in this Province, and has bestowed means upon it which will ensure the early accomplishment of an object long regarded by me as among those most to be desired for the welfare of the Colony.

On the 21st January, 1828, the House of Assembly responded to His Excellency's speech as follows :

We shall be highly gratified to find that His Majesty has very graciously provided for the establishment and endowment of an University in this Province, if the principles upon which it has been founded shall, upon enquiry, prove to be conducive to the advancement of true learning and piety, and friendly to the civil and religious liberty of the people.

*30th January, 1828.*—Captain John Matthews gives notice that he will, on Friday next, move for leave to have that part of the Journals of the House of Assembly of the last session read which refers to the petition of Mr. Edward Thompson Philan, Common School Teacher.

*31st January, 1828.*—Mr. James Gordon brought up the Petition of certain inhabitants in the Town of Amherstburgh and its vicinity in regard to the District (Grammar) School, which was ordered to be laid on the Table.

*4th February, 1828.*—Mr. William Thompson gives notice that he will, on to-morrow, move for reading of that part of the Journals of the House which relates to the York Common School Bill.

Mr. Francis Baby brought up the Petition of the inhabitants of the Town of Sandwich in regard to the District (Grammar) School which was ordered to lie on the Table.

*5th February, 1828.*—Mr. Edward McBride brought up the Petition of the Trustees of the Grantham Academy, St. Catharines, praying for an Act of Incorporation, which was ordered to lie on the Table.

Agreeably to notice, Captain John Matthews, seconded by Mr. Alexander Wilkinson, moves that that part of the Journals of the last Session, namely, that of the 13th January, 1827, be now read, which refers to the Petition of Mr. Edward Thompson Philan, which was carried, and the Journals were read by the Clerk accordingly as follows :

“ Mr. John Matthews, seconded by Mr. Alexander Wilkinson, moves that the Petition of Mr. Edward Thompson Philan be referred to a select Committee, and that Messieurs William Morris and Robert Randal do compose the same, with power to send for persons and papers, and to report thereon by Bill, or otherwise.”



"On which the House divided, and the yeas and nays being taken, were as follows :

"YEAS—Messieurs Atkinson, Baby, Burke, Clark, Coleman, Fothergill, Hamilton, Mathews, McCall, Peterson, Randal, Thomson, Wilkinson and Wilson—14.

"NAYS—Messieurs Beasley, Burnham, Cameron, Gordon, D. McDonell, A. McDonell, Morris, Scollick and White—9."

"The question was carried in the affirmative by a majority of five and ordered accordingly."

Captain John Matthews, seconded by Mr. Alexander Wilkinson, moves that the Petition of Mr. Edward Thompson Philan be referred to a Select Committee, and that Messieurs William Morris and Robert Randal do compose the same, with power to send for persons and papers and to report thereon by Bill or otherwise. Which was ordered.

*6th February, 1828.*—Agreeably to the Order of the Day, the Petition of sundry inhabitants of the Town of Amherstburgh, praying that the District (Grammar) School be removed from Sandwich to that Town.

The Petition of the inhabitants of the Town of Sandwich, praying that the District (Grammar) School may not be removed from that place.

Mr. James Gordon, seconded by Mr. Charles Jones, moved that the Petition of sundry inhabitants of the Town of Amherstburgh, respecting the Western District (Grammar) School, be referred to a Select Committee, with power to send for persons and papers and to report by Bill, or otherwise, and that the said Committee be composed of Messieurs the Attorney-General (J. B. Robinson,) and Francis Baby, which was ordered.

Mr. Alexander Wilkinson, seconded by Captain John Mathews, moves that the Petition of the inhabitants of Sandwich, be referred to the same Committee to whom was referred the Petition of the inhabitants of the Town of Amherstburgh, and that Messieurs John Rolph and George Hamilton, be added to the said Committee which was ordered.

*7th February, 1828.*—Agreeably to the Order of the Day, the Petition of the Trustees of Grantham Academy, praying for an Act of incorporation, and the Petition of Mr. Bulkley Waters and two hundred and nineteen others of different denominations of Christians in the Counties of Lennox and Addington, praying the House to inquire into the principle upon which an University is to be established in this Province, so that no power to hold lands, or other property, be granted to, nor any addition to the number of Members composing the House of Assembly be made from, or out of any ecclesiastical, or literary, body corporate, at whose hands danger could or might be apprehended to the Constitution, or to their religious liberties ; and also that the House would inquire into the truth of certain charges and statements therein mentioned, and to take such steps as to the House may seem meet to preserve the petitioners and their children from ecclesiastical domination etc., were read.

Mr. Peter Perry, seconded by Mr. John Rolph, moves that the Petition of Mr. Bulkley Waters and others be referred to a Select Committee, with power to send for persons and papers to report thereon, and that Messieurs Marshall S. Bidwell, John Mathews, Hugh C. Thomson of Frontenac, and George Hamilton do compose the same. Which was ordered.

Mr. Edward McBride, seconded by Mr. James Wilson, moves that the Petition of the Trustees of the Saint Catharines' (Grantham) Academy be referred to a Select Committee, to be composed of Messieurs John Clark and Robert Randal, with power to report thereon by Bill, or otherwise. Which was ordered.

*8th February 1828.*—Agreeably to the Order of the Day, the Petitions of Mr. Hugh Wilson and fifty-two others, of the District of Gore ; Mr. John Bryning and ninety-three others, of the District of Gore ; the Petition of Mr. John Hamilton and one hundred and seven others, of the District of Gore ; the Petitions of the Reverend Anson Green and one hundred and twelve others, of the District of Gore ; Mr. John Switser and ninety others, of the Midland District, Mr. Joshua Caverley and seventy-seven others, of the Midland District, Mr. John Grass and fifty-seven others, of the Midland District ; Mr. Rowland Gilbert and one hundred and seventy-nine others, of the London District, Mr. Michael Rittenhouse and eighty-six others, of the Niagara District, Mr. Daniel Weirs and one hundred and five others, of the Niagara District, the Petition of Mr. William Hepburne and one hundred and thirty others, of the Niagara District, and the Petition of Mr. Thomas Duncan and fifty-nine others, of the Eastern District, (identical with that of Mr. Bulkley Waters, presented to the House on the 7th of February, 1828,) praying that the House would inquire into the principle upon which an University is to be established in this Province, etc., were read and referred to the Select Committee on the subject.

*11th February, 1828.*—The Petition of Mr. Jesse Ketchum and two hundred and fifty others, of the Home District ; of Mr. Samuel Neal and seventy-four others, of the Western District ; of Mr. Samuel Richardson and twenty others, of the Home District ; of Mr. John D. Wilson and fifty-six others, of the Home District ; of Mr. William King and ninety others, of the Home

District ; of Mr. Joseph Gardiner and one hundred and thirty others, of the Home and Gore Districts ; of Mr. Joshua VanAllan and eighty-five others, of the Home District ; of Mr. Samuel Dearborn, Senior and fifty-eight others, of the Home District ; of Mr. David Thomson and forty-two others, of the Home District ; of Mr. John Black and seventy-seven others, of the Home District ; of Mr. Thomas Henry and one hundred and fifteen others, of the Home District ; and of Mr. Hiram Capron and twenty-eight others, of the London District,—Christians of different denominations—praying that this House would (as petitioned by Mr. Bulkley Waters and others) inquire into the principle upon which an University is to be established in this Province, etc., were read.

Mr. George Hamilton, seconded by Mr. Thomas Horner, moves that the Petition of Mr. Jesse Ketchum and others, and also other petitions on the same subject, which have been read, but not referred, be referred to the Select Committee, to whom was referred the Petition of Mr. Bulkley Waters and others, on the same subject. Which was ordered.

*12th February, 1828.*—Mr. Paul Peterson, gives notice that he will to-morrow, move for leave to bring in a Bill to provide for (a Sheriff and) for Schools in the County of Prince Edward.

*13th February, 1828.*—Agreeably to the Order of the Day, the Petition of Mr. Archibald Chisholm and seventy-one others, of the London District, and of Mr. James Dougherty and one hundred and two others, of the London District, (identical with that of Mr. Bulkley Waters and others, presented to the House on the 7th of February, 1828,) were read.

*15th February, 1828.*—Mr. Marshall S. Bidwell, seconded by Mr. Hugh C. Thomson, of Frontenac, moves that an humble Address be presented to His Excellency, the Lieutenant-Governor, requesting him to cause a copy of the Charter of the University, lately established in this Province, to be laid before this House ; together with such information relating to any appropriation of lands for the endowment of such University, and such further information on the subject of the University as it may be in His Excellency's power to communicate ; and that Messieurs Peter Perry and Hugh Peterson be a Committee to draft and report such Address ; and that the thirty-second rule of this House be dispensed with, so far as relates to this motion. Which was carried and ordered.

Mr. Perry from the Committee appointed to draft an Address to His Excellency, the Lieutenant-Governor, on the subject of the University, reported a draft, which was received and read the first, and second time, adopted, and ordered for a third reading this day.

Agreeably to the Order of the Day, the Address to His Excellency, the Lieutenant-Governor, requesting information relative to the University, was read the third time, passed and signed by the Speaker, and is as follows :

*To His Excellency Sir Peregrine Maitland, K.C.B. Lieutenant-Governor of Upper Canada, etc.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, request Your Excellency to cause a copy of the Charter of the University lately established in this Province to be laid before this House, together with any information relating to any appropriation of land for the endowment of such University, or relating generally to the subject of the University, as it may be in Your Excellency's power to communicate.

JOHN WILLSON,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
15th February, 1828.

Mr. Marshall S. Bidwell, seconded by Mr. Hugh C. Thomson, of Frontenac, moves that Messieurs J. J. Lefferty and Richard Beasley be a Committee to wait upon His Excellency, to learn when he will be pleased to receive the Address, and present the same. Which was ordered.

*18th February, 1828.*—Agreeably to the Order of the Day, the Petition of Mr. Jonathan Woolverton and fifty others of the Township of Grimsby (identical with that of Mr. Bulkley Waters, presented to the House on the 7th, instant,) was read.

*19th February, 1828.*—Mr. Edward McBride, from the Select Committee, to which was referred the Petition of the Trustees of the Grantham Academy, reported that the Committee had agreed to a Bill, a draft of which he was ready to submit whenever the House would please receive the same. The Report was ordered to be received, and the Bill was read the first time, and ordered for a second reading to-morrow.



*Thursday, 21st February, 1828.*—Mr. Robert Randal brought up the Petition of Mr. Thomas Appleton, Common School Teacher, of York, which was laid on the Table.

Agreeably to the Order of the Day, the Petition of Mr. John Harvey and eighty-seven others of the District of Newcastle, (identical with that of Mr. Bulkley Waters, presented to the House on the 7th, instant, in regard to the University, etc.) was read. Also the petition of Mr. Charles P. Treadwell, of the Seignory of Point a l'Original, in the Ottawa District, praying for an Act to enable him to convey certain pieces of land to trustees and their successors for school purposes, burying-ground, etc., was read.

Mr. Archibald McLean, seconded by Mr. William Morris, moves that the Petition of Charles P. Treadwell, Esquire, be referred to a Select Committee, with power to report thereon by Bill, or otherwise, and that Messieurs Jonas Jones and Duncan Cameron do compose the said Committee. Which was ordered.

Captain John Mathews, from the Committee to which was referred the Petition of Mr. Edward Thompson Philan, informed the House that the Committee had agreed to a report, which he was ready to submit whenever the House would please to receive the same. The Report was ordered to be received, and it was read as follows :

*To the Speaker of the House of Assembly :*

Your Committee, directed to report on the Petition of Mr. Edward Thompson Philan, respectfully state that they have very carefully investigated his claims ; they have examined his documents ; they have been, during the last two sessions, in continued correspondence with the Trustees of the District Common School, in the Township of Bertie, with the Secretary to the Board of Education and with the Treasurer of the Niagara District, and they have very satisfactorily ascertained that the sum of sixteen pounds, twelve shillings and six pence (£16.12.6) due to him from the Common School funds, and they, therefore, hope that the Board of Education of the Niagara District will not consider the payment of this sum out of the first moneys, which may come into their hands, as a violation of the law on the subject.

JOHN MATTHEWS,  
Chairman.

COMMONS HOUSE OF ASSEMBLY,  
21st February, 1828.

Agreeably to the Order of the Day, the Petition of Mr. Joseph S. Lockwood and one hundred and seventh-one others of the Midland District, the Petition of Mr. Abram Zavittz and two hundred and sixty others of the District of Niagara, the Petition of Mr. Charles Powers and one hundred and twelve others of the District of Newcastle, the Petition of Mr. David Cumming and thirty-nine others of the District of Newcastle, the Petition of Mr. John Steele and two hundred and thirty others of the Newcastle District, the Petition of Mr. James H. Wilson and sixty-one others of the District of Newcastle, the Petition of Mr. John Crawford and two hundred and five others of the District of Newcastle, the Petition of Mr. James Rankin and one hundred and sixty others of the District of Newcastle and the Petition of Mr. John Harvey and eighty-seven others of the District of Newcastle (identical with that of Mr. Bulkley Waters in regard to the Provincial University, etc., which was laid before the House on the 7th, instant,) were read, and referred to the Select Committee on the subject.

*23rd February, 1828* —Agreeably to the Order of the Day, the Petition of Mr. Thomas Appleton, Common School Teacher, of York, praying for relief in the premises, was read.

Mr. Robert Randal, seconded by Mr. Duncan McCall, moves that the Petition of Mr. Thomas Appleton be referred to a Select Committee to be composed of Messieurs John Rolph, John Matthews, Thomas Hornor and James Wilson that they have leave to send for persons and papers and to report thereon by Bill, or otherwise. Which was ordered.

Agreeably to the Order of the Day, the Petitions of Alexander Nickerson and eighty-six others of the Niagara District, of Michael S. Dolard and one hundred and sixty-five others of the London District, of John Fletcher and seventy-one others of the Home District, of Isaac Lamoureux and seventy-six others of the Home District, of A. Everett and ninety-two others of the Western District, of Ephraim Powell and two hundred and sixty others of the Newcastle District, of Duncan Vanalstine and ninety-two others of the Midland District and of the Rev. Franklin Medcalf and four hundred and fifty-eight others of the Johnstown District (similar to that of Mr. Bulkley Waters, which was laid before the House on the 7th, instant, in regard to the Charter of the proposed University, etc.) were read and referred to the Select Committee on the subject.

*27th February, 1828.*—Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that a Message be sent to the Honourable the Legislative Council, requesting that the Honourable Legislative Council will be pleased to permit the Honourable and Venerable Dr. Strachan to attend a



Select Committee appointed by this House to take into consideration and report upon the Petition of Mr. Bulkley Waters and others, praying this House to enquire into the truth of certain representations in an Ecclesiastical Chart and Letter addressed by the Honourable and Venerable Dr. Strachan to His Majesty's Under Secretary of State for the Colonies, and into the principle upon which an University is to be established in this Province. Which was ordered.

Mr. Marshall S. Bidwell, seconded by Mr. Paul Peterson, moves that an Address be presented to His Excellency, praying that His Excellency will be pleased to permit the Honourable and Venerable Dr. Strachan, a member of the Executive Council, to attend the Select Committee to whom have been referred the Petition of Mr. Bulkley Waters and others and a number of petitions on the same subject, and that Messieurs Rolph and McCall be a Committee to draft and report such Address. Which was carried and ordered.

Mr. John Rolph, from the Committee appointed to draft an Address to His Excellency the Lieutenant-Governor, requesting permission for the attendance of the Honourable and Venerable Archdeacon Strachan on a Select Committee appointed by this House, to examine and report upon the Petition of Mr. Bulkley Waters and others, reported a draft of Address which was received and read the first and second times, and ordered for a third reading to-morrow.

28th February, 1828.—Agreeably to the Order of the Day, the Address to His Excellency, the Lieutenant-Governor, requesting His Excellency to be pleased to permit the Honourable and Venerable Archdeacon Strachan, a Member of the Executive Council, to attend a Select Committee of this House, was read the third time, passed, and signed by the Speaker, and is as follows :

*To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant-Governor, of Upper Canada, etc.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully request that Your Excellency will be pleased to permit the Honourable and Venerable Archdeacon Strachan, a Member of the Executive Council, to attend a Select Committee appointed by the House of Assembly, to examine and report upon the Petition of Mr. Bulkley Waters and others, praying this House to enquire into the truth of certain representations in an Ecclesiastical Chart and Letter addressed by the Honourable and Venerable Doctor Strachan to His Majesty's Under-Secretary of State, and into the principle upon which an University is to be established in this Province.

JOHN WILLSON,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
28th February, 1828.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that Messieurs Paul Peterson and Duncan McCall be a Committee to wait upon His Excellency the Lieutenant-Governor, with the Address of this House, and to present the same. Which was ordered.

Mr. D'Arcy Boulton, the Master-in-Chancery, brought down from the Honourable the Legislative Council a Message, and having retired, the Message was read, as follows :

MR. SPEAKER :

The Legislative Council do give to the Honourable and Venerable Archdeacon Strachan leave "to attend a Select Committee appointed by the House of Assembly to examine and report upon the Petition of Mr. Bulkley Waters and others, praying that House to enquire into the truth of certain representations in an Ecclesiastical Chart and Letter addressed by the Honourable and Venerable Dr. Strachan to His Majesty's Under-Secretary of State for the Colonies, and into the principles upon which an University is to be established in this Province," if he thinks fit.

WILLIAM CAMPBELL,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
29th February, 1828.

29th February, 1828.—Mr. Secretary Hillier brought down from His Excellency, the Lieutenant-Governor, several Messages and having retired, the following Message relating to a proposed University was read by the Speaker, as follows :

P. MAITLAND :

The Lieutenant Governor, transmits to the House of Assembly, in compliance with its address, a copy of the Royal Charter for erecting the University of King's College in this Province.

The Lieutenant-Governor further informs the House that His Majesty has been pleased to grant as endowment for the University, two hundred and twenty-five thousand nine hundred and forty-four acres (225 944) of the Crown Lands, and to appropriate, from the revenues of the Crown, the sum of one thousand pounds sterling, (£1,000) per annum, [out of moneys received from the Canada Company], for sixteen years, for the erection of the buildings, and also that several of the religious societies in England have contributed to the institution by donations of money for the purchase of books, and, by the foundation of scholarships for missionaries to the Indian tribes.

P. M.

GOVERNMENT HOUSE, YORK,  
29th February, 1828.

Mr. Marshall S. Bidwell, seconded by Mr. James Wilson, moves that so much of the Message of His Excellency the Lieutenant-Governor, and the documents accompanying it, as relates to the University, be referred to the Select Committee, to whom was referred the Petition of Mr. Bulkley Waters and others.

The Charter of the University was then read by the Clerk. (See page .)

*1st March, 1828.*—Mr. Paul Peterson, from the Committee to wait on His Excellency, the Lieutenant-Governor, with an Address of this House, requesting permission for the Honourable and Venerable Archdeacon Strachan to attend a Committee of the same, reported that the Committee delivered the Address, and that His Excellency had been pleased to make thereto the following reply :

GENTLEMEN OF THE HOUSE OF ASSEMBLY :

I shall not withhold from Archdeacon Strachan permission to attend your Committee, as the matter to which your Address refers, can have no connection with his duties as a Member of Executive Council of this Province.

P. M.

GOVERNMENT HOUSE, YORK,  
1st March, 1828.

*3rd March, 1828.*—Agreeably to the Order of the Day, the Petition of Mr. Findlay Malcolm and fifty-nine others, of the the District of London, (similar to that of Mr. Bulkley Waters, in regard to the Charter of the University,) was read and referred to the Select Committee.

*11th March, 1828.*—Agreeably to notice, Mr. John Matthews, seconded by Mr. William Morris, moves for leave to bring in a Bill for the relief of Mr. Edward Thompson Philan, Common School Teacher, which was granted, and the Bill was read a first time, and ordered for a second reading to-morrow.

Mr. Marshall S. Bidwell, seconded by Mr. John Rolph, moves that an Address be presented to His Excellency praying His Excellency to cause to be laid before this House the Reports of the District Boards of Education, respecting Common Schools, according to the provisions of the Provincial Statute of 1816 (56 George 3rd, Chapter 36) and also the Reports made by the Trustees of District Schools, respecting District (Grammar) Schools, according to the provisions of the Provincial Statute of 1819, (59 George 3rd, Chapter 4), and that the forty-first rule of this House be dispensed with, so far as relates to this motion, and that Messieurs Peter Perry and Paul Paterson be a Committee to draft and report the same. Which was carried and ordered.

Mr. Peter Perry, from the Committee appointed to draft and Address to His Excellency, the Lieutenant-Governor, praying for certain Reports, reported a draft, which was received and read the first and second time, adopted, and ordered to be engrossed and read a third time to-morrow.

An Address was presented to His Excellency, the Lieutenant-Governor, asking him to permit the Honourable James Baby, a Member of the Executive Council to attend and give evidence before a Select Committee of this House in regard to certain representations made in an Ecclesiastical Chart and Letter addressed by the Honourable and Venerable Dr. Strachan, to His Majesty's Under-Secretary of State for the Colonies ; and into the principle upon which an University is to be established in this Province.

[NOTE.—The answer was similar to that given in the case of the Reverend Dr. Strachan.]

A Message was received from the Honourable the Legislative Council, giving leave to the Honourable Messieurs James Baby, Thomas Clark and William Dickson, to attend a Select Committee of the House of Assembly in regard to the petition of Mr. Bulkley Waters and others in regard to the University Charter, etc., if they see fit to attend.

*12th March, 1828.*—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, relative to School Reports, was read the third time, passed and signed by the Speaker, and is as follows :

*To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant-Governor of Upper Canada, etc.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and Loyal subjects, the Commons House of Assembly, in Provincial Parliament assembled, respectfully request, that your Excellency will be pleased to cause to be laid before this House, the Reports of the District Boards of Education respecting Common Schools, according to the Statute of this Province, passed in the fifty-sixth year of the reign of His late Majesty, (1816) intituled : " An Act to Repeal part of, and to amend the Laws now in force, for Establishing Public (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same."

JOHN WILLSON,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
12th March, 1828.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that Messieurs Duncan McCall and Donald McDone'll be a Committee to wait upon His Excellency with the Address of this House, and to present the same. Which was ordered.

*14th March 1828.*—Mr. Duncan McCall from the Committee appointed to wait upon His Excellency the Lieutenant-Governor, with the Address of this House, relative to District and Common School Reports, reported delivering the same, and that His Excellency had been pleased to make thereto the following reply :

GENTLEMEN OF THE HOUSE OF ASSEMBLY :

I shall direct that such of the Reports of the District and Common Schools, as have been received, be laid before your House.

P. M.

GOVERNMENT HOUSE,  
YORK, 14th March, 1828.

*17th March, 1828.*—Mr. Secretary Hillier brought down from His Excellency the Lieutenant Governor, a Message, and such Reports from District (Grammar) and Common Schools in this Province, as had been by him received. Mr. Hillier having retired, the Message was read by the Speaker, as follows :

P. MAITLAND :

The Lieutenant Governor transmits to the House of Assembly copies of such Reports respecting District (Grammar) and Common Schools as have been received.

P. M.

GOVERNMENT HOUSE,  
YORK, March 17th, 1828.

Mr. Marshall S. Bidwell from the Committee to which was referred the Petition of Mr. Bulkley Waters, and others, and the various Petitions from the different parts of the Province on the same subject, informed the House, that the Committee had agreed to a Report and an Address to His Majesty, founded on these Petitions, which he was ready to submit, whenever the House would please receive the same. The Report was ordered to be received, and was read as follows :

TO THE HONOURABLE THE COMMONS HOUSE OF ASSEMBLY :

The Select Committee, to whom was referred the Petition of Mr. Bulkley Waters and others, and various other Petitions of the same tenor, [see page 234] signed by nearly six thousand persons, and also the Petition of Mr. E. W. Armstrong\* and others, submit the following Report :

\* The Petition of Mr. E. W. Armstrong and fifty-seven others of the Midland District dated January, 1828, contains a much more elaborate arraignment of the promoters of the Charter of King's College, but it is substantially the same in substance as that of Mr. Waters and of the others which were presented to the House of Assembly on this subject.



The Letter (and the Chart referred to in the Petitions) is dated the 26th of May 1827, and was addressed by the Honourable and Reverend Doctor Strachan, Archdeacon of York, a Member of the Legislative Council of this Province, to the Right Honourable R. J. Wilmot Horton, at that time Under Secretary of State for the Colonies, for the information of Lord Goderich, then at the head of the Colonial Department. It appears to have been intended as a document for the information of His Majesty's Government, upon which important measures on their parts, with respect to this Colony, might have been founded.

[NOTE. The first part of this Report is devoted by the Committee to an elaborate review of the "Ecclesiastical Chart" which had been enclosed in the letter addressed to Mr. Horton. This "Chart" was intended to give "a fair and accurate representation of the state of the different Denominations of Christians in the Province." That the Chart was "fair and accurate," the witnesses examined by the Committee denied, and give their evidence to that effect. As this part of the Report of the Committee does not touch upon any educational point, it is omitted from this Documentary History. That part of it relating to the Charter of King's College is as follows :]

Upon an examination of the copy of the Charter of the University of the King's College, transmitted to the House by His Excellency and referred to them, the Committee find that the following are some of its provisions :

The Bishop of the Diocese is to be Visitor, and as such may disapprove of the by-laws made for the College by the Council, which thereby became void unless His Majesty in Privy Council afterwards reverses this Order; the Governor, Lieutenant-Governor, or person administering the Government is to be Chancellor, the President is to be a Clergyman in Holy Orders of the Church of England; the Honourable and Venerable Doctor Strachan, Archdeacon of York is to be the first President, the Corporation is to consist of the Chancellor, President and Scholars of King's College and is authorized to take and hold real estate not exceeding the yearly value of £15,000 sterling. The College Council is to consist of the Chancellor, President and seven other persons who are to be members of the Church of England, and to sign the 39 Articles of that Church; the Council, under certain restrictions, are to make by-laws for the College, one of these restrictions is that no religious test or qualification shall be required of, or appointed for, any person admitted or matriculated as scholars in the College, except that those admitted to the Degree of Doctor in Divinity shall make the same declarations and subscriptions, and take the same oaths as are required of persons admitted to any Degree of Divinity in the University of Oxford. The Chancellor, President and Professors of the College and all persons admitted in the College to the Degree of Master of Arts, or to any Degree in Divinity, Law or Medicine, who, from the time of such admission shall pay the annual sum of 20s. sterling towards the support of the College, are to be members of the Convocation. From the Message of His Excellency it appears that His Majesty has been pleased to grant as an endowment for the University 225,944 acres of the Crown Lands, and to appropriate, from the revenue of the Crown, the sum of £1,000 sterling, per annum for 16 years, for the erection of the buildings, and also that several of the Religious Societies in England have contributed to the Institution by donations of money for the purchase of books and by the foundation of Scholarships for Missionaries to the Indian Tribes.

From the foregoing abstract of some of the provisions of the Charter, the sectarian character and tendency of the Institution will be manifest. Dr. Strachan, by whose representations and efforts, in a great measure, the Charter in its present state seems to have been procured, in a pamphlet published in London, entitled "An appeal to the Friends of Religion and Literature, in behalf of the University of Upper Canada," distinctly states that it will be essentially a Missionary College "for the education of Missionaries of the Church of England," and as an argument to obtain from the members of that Church contributions towards the funds of the College maintains that the effect of establishing this University, will be ultimately to make the greater portion of the population of the Province, members of the Church of England. That such must be the natural tendency of putting into the hands of that Church the only seminary in the country where a liberal education can be obtained is obvious; but the alarm and jealousy which this very circumstance will produce through the Province, and has in some measure, already produced, and which will prevent parents and guardians from sending their children to it will, perhaps, counteract this tendency, although at the same time, it will in an equal degree, limit the benefits which might otherwise be derived from the Institution. An University adapted to the character and circumstances of the people, would be the means of inestimable benefits to this Pro-

vince. But to be of real service, the principles upon which it is established, must be in unison with the general sentiments of the people. It should not be a school of politics, or of sectarian views. It should have about it no appearance of partiality or exclusion. Its portals should be thrown open to all, and upon none who enter, should any influence be exerted to attach them to a particular creed or church. It should be a source of intellectual and moral light and animation, from which the glorious irradiations of literature and science may descend upon all with equal lustre and power. Such an institution would be a blessing to a country, its pride and glory. Most deeply, therefore is it to be lamented, that the principles of the Charter are calculated to defeat its usefulness, and to confine to a favored few all its advantages. That His Majesty's Government could even have contemplated such a limitation of its beneficence, that they could ever have intended to found it upon such terms as must either preclude from its benefits the greater part of those for whom it was intended, or subject them, at an age ill qualified to guard against such attacks, to the silent, but powerful influence of a prevailing spirit and regular system of proselytism, no one will believe. They could not have been aware of the insurmountable objections to which, from the circumstances of the country, and the sentiments of the people, some of the provisions of the Charter were liable. They acted, undoubtedly, under the impression, and with the intention of providing, in the most gracious and liberal manner, an institution much needed and desired by the people. There is, therefore, every reason to believe that any representations from the House of Assembly upon the matter would be most favourably regarded. Under this impression the Committee strongly recommend this subject to the consideration of the House.

As to the right of the University to elect a member of the House of Assembly, the Committee would remark that there is no law which gives or (consistently with the Imperial Act, 31st, Geo. III. Chap. 31, commonly called our Constitutional Act) can give the right of representation to an University or any other corporation. By that Act the Province was divided into districts, counties, circles, towns or townships, for the purpose of electing members of the House of Assembly, which was to be composed and constituted in the manner therein mentioned, that is, among other things of persons chosen to represent some of these divisions. The qualifications prescribed for voters in districts, circles or counties, differ from those prescribed for voters in towns. In the former, each voter must be possessed, for his own use and benefit, of lands or tenements in such county, etc. held in freehold, *fief voture*, or by certificate derived under the authority of the Governor and Council of the Province of Quebec, of the yearly value of 40s. sterling or upwards, over and above all rents and charges payable out of or in respect of the same, in the latter each voter must be possessed for his own use or benefit of a dwelling house and lot of ground held in like manner, of the yearly value of £5 or upwards, or having been resident within the said town or township for the space of 12 calendar months next before the date of the writ of summons for the election must *bona fide* have paid one year's rent for the dwelling house in which he shall have so resided, at the rate of £10 sterling, or upwards.

By the Provincial Statute of 1820, 60th Geo. III. Chap. 2 it is enacted that, whenever an University shall be organized and in operation as a seminary of learning in the Province, and it conformity to the Rules and Statutes of similar institutions in Great Britain, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government for the time being, to declare by proclamation the tract of land appendant to such University and whereupon the same is situated, to be a Town or Township,—by such name as to him shall seem meet, and that such Town or Township so constituted, shall be represented by one member.—Provided, always nevertheless that no person shall be permitted at any such election for a member to represent the said University in Parliament, who besides the qualification now by law required, shall not also be entitled to vote in the convocation of the said University.

The right of representation cannot exist until the University is organized, and in operation as a Seminary of Learning, and in conformity to the Rules and Statutes of similar institutions in Great Britain, nor until the buildings for the University are actually erected. It then belongs to the Town or Township, and not to the University. The Town or Township must be a tract of land appendant to the University, and that on which it is situated. These expressions exclude all tracts of land separated from the University by lands of other owners, although such separate lands may belong to the University, and all lands which do not belong to the University. The title of it must be vested in the Corporation, if it is corporate property, it cannot be a freehold estate of any individual to qualify him to vote upon it as a Town elector. No person can have a freehold estate in a dwelling house and lot in the Town, but the Corporation. That qualification for any person to be a Town elector cannot exist in the University Town. The right of voting at an election for such Town must be confined to those who, besides being entitled to vote in the Convocation, shall have resided one year in that Town, and *bona fide* paid rent for the dwelling house in which they shall have so resided, at the rate of £10 sterling or upwards. The right of voting will, therefore, be confined probably to a very few persons of whom, perhaps, the Lieutenant-Governor may be one.



With this report the Committee present to the House the draft of an Address to His Majesty upon the various subjects which have been mentioned and they respectfully recommend that it be adopted.

All which is respectfully submitted.

MARSHALL S. BIDWELL,  
Speaker.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,  
15th March, 1828.

The Address to His Majesty was then read the first time as follows :

*To the King's Most Excellent Majesty.*

MOST GRACIOUS SOVEREIGN :

We Your Majesty's dutiful and loyal subjects, the Commons House of Assembly of Upper Canada, in the Provincial Parliament assembled, humbly beg leave to represent to Your Majesty. \* \* \* [That part relating to the Ecclesiastical Chart is omitted] that while we fully and gracefully appreciate Your Majesty's gracious intentions in granting a Royal Charter for the establishment of an University in this Province, we would beg most respectfully to represent, that, as the great body of Your Majesty's subjects in this Province are not members of the Church of England, they have seen, with grief, that the Charter contains provisions which are calculated to render the institution subservient to the particular interests of that Church, and to exclude, from its offices and honours, all who do not belong to it.

In consequence of these provisions its benefits will be confined to a favoured few, while others of Your Majesty's subjects, far more numerous, and equally loyal and deserving of Your Majesty's parental care and favour, will be shut out from a participation in them.

Having a tendency to build up one particular Church to the prejudice of others, it will naturally be an object of jealousy and disgust.

Its influence as a Seminary of Learning, will, upon these accounts, be limited and partial.

We, therefore, humbly beg that Your Majesty will be pleased to listen to the wishes of Your Majesty's people in this respect and to cause the present Charter to be cancelled, and one granted, free from the objections to which, emboldened by a conviction of Your Majesty's paternal and gracious feelings to Your loyal subjects in this Province as well as by a sense of duty to the people, and a knowledge of their anxiety upon the subject, we have presumed to avert.

(NOTE.—The concluding part of this Address, relating to the Clergy Reserves, is omitted.)

JOHN WILLSON.  
Speaker.

COMMONS HOUSE OF ASSEMBLY OF UPPER CANADA,  
York, 20th March, 1828.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that the House do resolve itself into a Committee of the Whole to-morrow, on the Report of the Select Committee to which was referred the Petition of Mr. Bulkley Waters and others, on the Address to His Majesty, reported by that Committee.

20th March, 1828.—Agreeably to the Order of the Day, the Address to His Majesty on the subject of a religious establishment and University in Upper Canada, was read the third time.

Mr. William Morris, seconded by Mr. Alexander McDonell, of Glengarry, moves that the Address do not pass ; but that it be now recommitted. Which was lost on a division.

Mr. William Morris, seconded by Mr. Alexander McDonell, moves that the words : " and internal improvement " in the fifth page of the Address, in the fifth line from the top be expunged. On which the House divided, and the yeas and nays being taken were as follows :

YEAS.—Messieurs Beasley, Bidwell, Cameron, Lefferty, McCall, McDonell (of Glengarry), McLean, Morris, Perry, Rolph, Thomson, and VanKoughnet.—12.

NAYS.—Messieurs Baby, Beardsley, Burnham, Coleman, Fothergill, Hamilton, Hornor, Jonas Jones, McBride, McDonell (of Prescott and Russell,) Mathews, Peterson, Randal, Scollick, Thompson, White, Wilkinson and Wilson.—18.

The question was decided in the negative by a majority of six, and was lost accordingly. On the question of passing the Address, the House divided, and the yeas and nays being taken were as follows :

YEAS.—Messieurs Baby, Beardsley, Beasley, Bidwell, Coleman, Fothergill, Hamilton, Hornor, Lefferty, McBride, McCall, McDonell (of Prescott and Russell,) Mathews, Perry, Peterson, Randal, Rolph, Thomson, White, Wilkinson and Wilson.—21.

NAYS.—Messieurs Burnham, Cameron, Jonas Jones, McDonell (of Glengarry,) McLean, Morris, Scollick, Thompson and VanKoughnet.—9.



The question was carried in the affirmative by a majority of twelve, and the Address was passed and signed by the Speaker.

Mr. Marshall S. Bidwell, seconded by Mr. John Rolph, moves that an humble Address be presented to His Excellency the Lieutenant-Governor, requesting him to transmit the Address of this House, to His Majesty, to His Majesty's Principal Secretary of State, that the same may be presented by him to His Majesty, and that Messieurs Peter Perry and Paul Patterson be a Committee to draft and report the same. Which was carried.

Mr. Peter Perry, seconded by Mr. Marshall S. Bidwell, moves that that part of the Journals containing the Report of the Select Committee on the Petition of Mr. Bulkley Waters and others, (relating to the Charter of King's College, etc.) and other Petitions on the same subject, together with the evidence appended thereto, and the Address to His Majesty, with the proposed Amendments founded thereon, with the yeas and nays, be the first part of the Journals printed after the prorogation, and that the one thousand extra copies of the same be printed for the use of the Members. Which was ordered.

Mr. Peter Perry from the Committee appointed to draft an Address to His Excellency the Lieutenant-Governor, requesting His Excellency to transmit the Address of this House to His Majesty, to His Majesty's Principal Secretary of State for the Colonies, reported a draft of Address which was received, and was read a first and second time, adopted and ordered for a third reading this day.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant Governor, requesting him to transmit the Address to His Majesty, was read a third time, passed and signed by the Speaker, and is as follows :

*To His Excellency Sir Peregrine Maitland, K.C.B., Lieutenant-Governor of Upper Canada, etc.*

MAY IT PLEASE YOUR EXCELLENCY :

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, request Your Excellency to transmit the Address of this House to His Majesty to the Principal Secretary of State for the Colonies, that it may by him be presented to His Majesty.

JOHN WILLSON,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
YORK, 20th March, 1828.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moved that Messieurs J. J. Lefferty and Duncan McCall, be a Committee to wait upon His Excellency and learn when he will be pleased to receive this House, with the address to His Majesty, which was ordered.

Mr. James Wilson from the Committee, to which was referred the Petition of Mr. Thomas Appleton, Common School Teacher of York, informed the House that the Committee had agreed to a Report which he was ready to submit whenever the House would be pleased to receive the same. The Report was ordered to be received and it was read.

*To His Excellency Sir Peregrine Maitland, K.B.C. Lieutenant-Governor of Upper Canada, etc.*

MAY IT PLEASE YOUR EXCELLENCY :

We His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament Assembled, request Your Excellency to cause Mr. Thomas Appleton, Common School Teacher in the Town of York to be paid such sum of money as may be due to him from the funds appropriated by the Legislature to the Common Schools, as far as is warranted by his testimonials according to the existing law (of 1816.)

On the question for the second reading of the Address, the House divided, and the yeas and nays being taken were as follows :

YEAS.—Messieurs Beardsley, Beasley, Bidwell, Clark, Fothergill, Hamilton, Hornor, McBride, Matthews, Perry, Patterson, Randal, Rolph, Thompson and Wilson.—15.

NAYS.—The Attorney-General (Robinson), and Messieurs Burnham, Coleman, Jonas Jones, McDonell (of Prescott and Russell), McLean, Morris, Scollick, VanKoughnet, Walsh, and White.—11.

The question was carried in the affirmative by a majority of four, the Address was read the second time, and ordered for a third reading to morrow.

21st March, 1828.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, reported by the Committee, to which was referred the Petition of Mr. Thomas Appleton, was read a third time.

Mr. James Wilson, seconded by Mr. Paul Paterson, moves that the Address do not now pass. Which was carried.

24th March, 1828.—The Speaker reported that the House had waited upon His Excellency the Lieutenant-Governor with the Address of this House requesting His Excellency to transmit the Address to His Majesty, to His Majesty's Principal Secretary of State for the Colonies, and that His Excellency had been pleased to make thereto the following reply.

GENTLEMEN OF THE HOUSE OF ASSEMBLY :

I will transmit Your Address to His Majesty's Government. \* \* \* The great importance of providing for religious instruction, and for education generally, is happily exemplified in the moral condition of the people of the United Kingdom ; and the measures which have been taken by His Majesty in order to secure the same blessing in this colony, subjecting no portion of its inhabitants to burthens, or to civil disabilities of any kind, cannot fail, in the end, to be rightly understood and gratefully appreciated.

GOVERNMENT HOUSE, YORK,  
24th March, 1828.

P. M.

#### CASE OF MR. THOMAS APPLETON, COMMON SCHOOL TEACHER, 1820-1828.

As already intimated, (in connection with the proceedings of the House of Assembly of the year 1820, (page 176 *ante*), the case of Mr. Thomas Appleton involved the question of the right of the Executive Government to deal with the question of education, apart from, and independently of, the Legislature. This was the point raised in the Appleton case, from the fact that while the Legislature had in 1816, passed a law, providing for the establishment in the Province of Common Schools, (and continued it in operation in 1820,) the Executive Government applied to the the Colonial Secretary in that year, (1820) for His Majesty's sanction to the introduction of a system of elementary schools based upon the National (Church of England) system, and on the plan of the Bell monitorial schools.\* This was done without the knowledge of the Legislature. The sanction to this scheme was given by the Home Government in 1823 ; and authority was then also given to defray the expenses of the pioneer National Central School, then established at York, out of the funds set apart for a University.

Mr. Appleton was the Common School Teacher at York in 1820, when he was displaced, and, by authority of the Lieutenant-Governor, his School House was assigned to the Master brought out from England in that year to take charge of the elementary school on the Bell monitorial system of teaching.

Mr. Appleton had applied to the District Board of Education for redress, but his request was unheeded. He then applied to His Excellency the Lieutenant-Governor, as the next highest authority—the General Provincial Board of Education not being then in existence. But from him, he only received a reply endorsing the action of the District Board of Education. His last resource was a Petition to the House of Assembly, as he was unable, as he stated, to enforce his claim by legal process.

\*The Rev. Dr. Strachan in a letter to his friend, the celebrated Rev. Dr. Chalmers, on the *Life and Character of Bishop Hobart*, written in 1832, thus refers to the Bell system of Schools : "About the beginning of the present century the Rev. Dr. Bell began to introduce a new system of education, which he brought from the East Indies, (Madras), and which offers great facilities for the rapid acquisition of elementary instruction. . . . It is indeed questionable notwithstanding its excellence, whether it would have come into general practice, had not Mr. Lancaster adopted it with some variations, and shown to the citizens of London the great ease and certainty with which its principles might be applied to the education of a numerous population." (Page 26). Hence the system of teaching got to be popularly known as "The Bell and Lancaster System." Rev. Dr. Strachan recommended its introduction into U. C.



The House of Assembly entertained his complaint,—the more so because it was found to be a case which involved the principle, if not of covert resistance to the authority of the Legislature, in passing the Common School Acts of 1816-1820, but clearly one of setting aside, for an insufficient reason, the authority of the School Trustees under these Acts, and thus practically ignoring the very existence and binding force of the Acts themselves on all parties concerned.

Then, in the view of Members of the House of Assembly, another objectionable feature obtruded itself in this case, and that was one which involved another principle, in regard to which the House of Assembly had, on more than one occasion, strongly protested ; and that was the appropriation by the Executive Government of the revenues of the Province, without the knowledge and consent of Parliament—or, as the House put it, “the expenditure of the revenues of the country struggling against ecclesiastical exclusion, which this case involved.”

I have given prominence to this case for many reasons—chiefly because its incidents are strikingly illustrative of the anomalous condition of the administration of educational affairs which existed in Upper Canada seventy years ago.

The case also reveals what a chronic state of warfare prevailed in those days between the two great powers in the State—not in regard to matters of policy or expediency—but as to which of the two should exercise supreme authority in matters which concerned the welfare and the future of the Province—the State.

The case also shows how crude, and how yet unformed were the opinions which prevailed in the matter of public education ; and how slowly was the evolution which took place in the views of public men on this subject. In 1806, the District (Grammar) School Act was passed for a limited period, as a tentative measure ; in 1807, it was confirmed as a permanent Act ; in 1816, we find the Legislature, under the inspiration of still more enlarged views, generously voting the large sum, in those days, of twenty-four thousand dollars a year for the support of elementary schools, and yet, four years afterwards, when Schools were established all over the country, reducing that sum to ten thousand dollars, and shutting up more than one-half of the Schools then in existence. Thus, public opinion ebbed and flowed without a master-hand to stay the current.

At this very time the Executive Government was pursuing a totally different course and that too, without the knowledge or consent of the Legislature. By its sole authority, the Common School in the Town of York, deriving a grant of only \$100 a year or less, was closed, and a new and expensive elementary school, costing more than one thousand dollars a year, was established in its place.

Out of this singular proceeding arose the noted Appleton case, which, after occupying more or less attention for eight years, was at length brought before the House of Assembly. Its consideration there led to the expression of strong dissent on the part of the Assembly, from the action of the District Board of Education, then under the direction, as it clearly was, of the Government. This Appleton



case evoked a strong hostile feeling against the Executive Government, which was intensified all the more, when the character of the Royal Charter of King's College and its conditions became known to the public in that same year, and to the House of Assembly.

Thus began a strife for supremacy between these two chief powers in the State, which was only ended, after years of conflict, in the passage of the Clergy Reserves Act of 1854, which abolished all semblance of connection between Church and State, and recognized the claims of each Church in Upper Canada to equal protection and the acknowledgment of an equal status, and of equal rights.

REPORT OF THE HOUSE OF ASSEMBLY ON THE PETITION OF MR. THOMAS APPLETON, 1820-1828.

TO THE HONOURABLE THE COMMONS HOUSE OF ASSEMBLY OF UPPER CANADA :

The Select Committee to whom was referred the Petition of Mr. Thomas Appleton, of the Town of York, beg leave to report :

That it appears that Mr. Thomas Appleton, a British born subject, emigrated to this Province in the year 1819, and commenced teaching School ; and, from that time hitherto, has been, and still is engaged in that occupation, with much credit to himself and to the satisfaction of those by whom he has been employed.

That he received his share of the Legislative appropriation, for Common Schools, for two years and a quarter ; and without any reason to expect a discontinuance, he applied for his allowance, for the six months he subsequently taught, but upon presenting the usual documents and testimonials from the Trustees, he was refused the usual allowance. He still, however, continued to teach the Common School and made another application, and this was again refused.

The Petitioner then applied to the Trustees : Mr. Jesse Ketchum, Doctor T. D. Morrison, and Mr. Jordan Post, to interpose in his behalf.

These gentlemen, impressed with the justice of his claim, made application to the General Board of the District, from whom it appears they never received any answer.

The Petitioner then preferred a Memorial to His Excellency, Sir Peregrine Maitland, setting forth the circumstances of his case, to which he received the answer annexed to this report.

But notwithstanding the reason assigned for withholding the sum from the Petitioner, it has been proved before your Committee that there were only nineteen Common Schools in operation in the District at the time, although the sum appropriated by the Legislature would have been sufficient to have paid £10 each to twenty-two teachers.

Your Committee further report it, as a matter of regret, that tried and faithful teachers who had devoted themselves to the occupation for years, and were looking forward to it as the labour of their lives, should be superseded by the erection of what is termed a " National " School, which is neither needed by the state of the country, nor the extent of the population.

This " National School " it appears has been supported out of the revenues of the Province without the knowledge and consent of Parliament, and your Committee regret, that it would have been further supported to the injury of other Common Schools, which, notwithstanding the injustice they have received, have, from their usefulness and merit, met with public support.

The Teacher of this " National " School was invited from England by His Excellency ; and, upon his arrival, it appears that an application was made to the Trustees by the Honourable and Venerable Dr. Strachan, in the name of His Excellency, for the use of their School House, occupied by the Petitioner.

The Trustees refused to comply with the request upon the honourable ground, that it would interfere with the just claims, expectations and merits of the Petitioner.

Mr. Spragg, as Teacher of the " Central School," receives £250 sterling, per annum, which, with the contingent and other expenses advanced out of the revenues of the Province, amounts to about £300, and the average number of scholars every year, from its institution to the present time, has been sixty-three, which appears to be the number now actually present, according to Mr. Spragg's statement, which, however, is not altogether corroborated by the statements of others.

Upon examining the progress made by some of the children in this Central National School and comparing it with the progress made by others in the Common Schools, in a far shorter time, your Committee find that the latter have made a far greater proficiency.

If the sum appropriated to the "Central School" were distributed as an encouragement to Schools in the interior of the country, where money is scarce, and the patronage both needed and deserved, it would be most beneficially felt in every Township in the Home District, and in every other District in the Province also.

From the tenor of the Act, 60 George III. Chapter 7, (1820) making the provision in question, it appears that the District Board of Education have exercised an arbitrary power.

The Reverend Mr. Alexander Stewart appears to be another sufferer, excluded from the Legislative bounty.

The "National School" is founded upon the Reverend Dr. Bell's system, and is professedly adherent to the Church of England—and, therefore, ought not to be supported by the revenues of a country struggling against ecclesiastical exclusion.

Your Committee report an Address to His Excellency, requesting him to order that the Petitioner be paid what is due to him, according to the provisions of the Common laws (of 1816 and 1820.)

JAMES WILSON,  
Chairman of the Committee.

COMMONS HOUSE OF ASSEMBLY, YORK,  
February, 1828.

#### APPENDIX.—THE LIEUTENANT-GOVERNOR'S REPLY TO MR. APPLETON'S MEMORIAL.

Through his Secretary, Mr. George Hillier, Sir Peregrine Maitland thus replied to Mr. Thomas Appleton's Memorial, under date of December the 16th 1822 :

The Lieutenant-Governor having ordered a reference to be made to the Board of Education of the Home District for a report on the subject of your Petition of the 11th instant, I am commanded to enclose to you a copy of the report which has been received, and which I am to acquaint you His Excellency deemed perfectly satisfactory.

G. HILLIER,  
Secretary.

To Mr. THOMAS APPLETON, Teacher.

Extract from the Report, to the Lieutenant-Governor, of the Home District Board of Education on the case of Mr. Thomas Appleton, Teacher at York :

That after the great reduction in the allowance for the support of Common Schools which took place in 1820, the Board of Education for the Home District reduced the salaries of school-masters to £10 per annum.

But on reference to the number of Townships in the District they found that this could not allow one for each and that it will in time be again necessary to reduce the salaries.

The Board further determined, that in Townships where there were several Schools, to drop all except one, as new Townships applied.

Accordingly several Schools have stopped, among which is the one taught by Mr. Appleton, the Board has thus been enabled to attend to new applications.

But the Board has another reason for withholding assistance from this School.

His Excellency, the Lieutenant-Governor had been pleased to establish in the Town of York, a National School to which the children of the inhabitants may have access, thus affording them a greater benefit than is enjoyed in any other part of the Province.

It appears, therefore, quite reasonable to the Board, to give the salary to another part of the Township where it was more required.

## MINUTES OF EVIDENCE IN MR. THOMAS APPLETON'S CASE.

COMMITTEE ROOM, HOUSE OF ASSEMBLY, 28th February, 1828.

The Committee met, present : Messieurs James Wilson, *Chairman*, Robert Randal, John Rolph, John Matthews and Thomas Horner.

The Petition of Mr. Thomas Appleton, Common School Teacher, of the Town of York, was read as follows :

*To the Honourable the Commons House of Assembly, of Upper Canada, in Parliament assembled :*

The Petition of Mr. Thomas Appleton, Common Teacher, York, respectfully sheweth :

That your Petitioner was, in the year 1820, legally chosen Teacher of the Common School in this Town by the Trustees thereof.

That some time in the month of July, in the same year (1820) the Honourable and Venerable Doctor Strachan applied to the Trustees, of the Common School at York, in the name and on the behalf of His Excellency, the Lieutenant-Governor, to obtain the House of the said School immediately, for the use of Mr. Spragg. This the Reverend Doctor Strachan did, without consulting your Petitioner, or obtaining his consent to remove from the Common School-House.

That at a meeting of the Subscribers to the said School, the Reverend Dr. Strachan's demands were taken into consideration, when it was resolved, that to comply therewith, would be an act of great injustice to your Petitioner.

In this opinion the Trustees fully concurred.

That the Lieutenant-Governor was addressed, through the Chairman of the said meeting, concerning the application which had been made in His Excellency's name, by the Reverend Doctor Strachan, to which His Excellency replied, through his Secretary, Major Hillier, that no application had been made by him on the subject matter of the Address.

That, although your Petitioner had not, at any time, less than twenty scholars, but frequently more than thirty, he was notwithstanding, deprived by the Board of Education of this District of his proportion of the public money, after having received it for a year, (which also his predecessor had received) without having had any previous notice given, and without any reason being assigned for withholding it.

The Trustees subsequently addressed the District Board of Education on the subject, but never received any answer.

That the Board of Education for the District, instead of dispensing the public money agreeably to the express provisions of the Common School Acts of 1816 and 1820, have determined that a certain number of Schools only in this District, as your Petitioner is informed, shall participate therein ; the said Schools so participating being of course arbitrarily selected, contrary to the intention of the Legislature in passing the said Acts, which expressly provides that a certain sum shall be equally apportioned to the teachers of Common Schools in each District, without limitation as to numbers.

That your Petitioner is qualified to receive his portion of said money, in terms of said Acts, to which he considered himself justly entitled during the continuance of the Acts, and of which he conceives himself to have been unjustly and improperly deprived of several years.

That school fees not being uniformly well paid, your Honourable House must be aware, that the deprivation of the public bounty, afforded to the Teacher of a Common School, must very materially affect his interests.

That your Petitioner respectfully petitioned His Excellency, the Lieutenant-Governor, in 1823, but received no redress whatever.

That your Petitioner also complained to a former Parliament, through W. W. Baldwin, Esquire. The claims of your Petitioner were thought to be just and reasonable ; but that Honourable House seemed to be of opinion, that your Petitioner might find redress at law ; and W. W. Baldwin, Esquire, in a letter to your Petitioner, intimated the same.

That your Petitioner is not in circumstances to contend at law with the Home District Board of Education, and against the influences concerned in the issue of the case.

May it therefore please Your Honourable House, who are the constitutional guardians of public education, and the protectors of those who instruct the youth of this Province, to cause strict inquiry to be made into the truth of these statements, which Your Petitioner is fully prepared to substantiate, and to grant such relief as Your Honourable House, in its wisdom, may deem meet.



Your Petitioner further prays, that Your Honourable House, will take measures to prevent the Board of Education in this District, from diverting from its proper purpose, and bestowing, or withholding, hereafter, at its own pleasure, the bounty of the Legislature, a precedent fraught with evil consequence to schools and teachers, destroying the independence of the latter, in a certain degree, and necessarily militating against the former.

And Your Petitioner, as in duty bound, will ever pray.

THOMAS APPLETON.

YORK, 20th February, 1828.

The following is the evidence in the Appleton case, given by Mr. Thomas Appleton, Teacher; Mr. John Fenton, Assistant Teacher; Messieurs Jesse Ketchum and William P. Patrick, School Trustee; the Reverend Alexander Stewart, Teacher; Dr. Thomas D. Morrison; and Mr. Joseph Spragg, Teacher of the National Central School.

*Mr. Thomas Appleton*, states that he is the Petitioner,—that he was born in Yorkshire, England, and emigrated to this Province, *via* Quebec in 1819, and has resided continually in this Province,—has never been one night out of it—has been a teacher of schools ever since the year 1819.

He first taught in the Township of Scarborough a Public Common School, and received the Government bounty, having taught it twelve months.

He next taught a Common School in the Township of King, for four months, and received the public aid, as given by law.

He then taught the Common School in the Town of York, (to which he was duly appointed,) twelve months, and received his proportion of the public money, according to law.

He then taught the same school for six months, and applied for his pay, and presented to the Clerk the same documents he had heretofore done, when he procured his pay. It was then for the first time refused, payment of his claim.

He then taught the same school six months longer, and was again refused anything for it.

Upon this second refusal, the Trustees: Messieurs Jesse Ketchum, Jordan Post, and Thomas D. Morrison M.D. applied to the District Board of Education, to know the cause of his being strutt off the list of Teachers; the Trustees, he believes, never received any answer from the Board.

He then memorialized His Excellency, the Lieutenant-Governor, setting forth the circumstances of his case, and praying for His Excellency's interposition to do him justice.

In answer to the Memorial he received the answer from the Lieutenant-Governor's Secretary, (Mr. Hillier), which he presents to the Committee, and the extract from the records of the District Board of Education sent to him.

After the arrival of Mr. Spragg, who keeps what His Excellency calls the "National School," the Reverend Dr. Strachan made an application to the Trustees of the Common School in York, for the use of the School-House, greatly to the Petitioner's prejudice, which application was made in the Lieutenant-Governor's name.

The Trustees then, by order of a general meeting, (convened for that purpose), memorialized His Excellency, a copy of which memorial is herewith presented, as also a copy of the answer received to the memorial.

He has ever since, except during sickness, kept the Common School in the Market Square Lane, [now Colborne street] receiving occasional remuneration from the subscribers.

His pay, as Common School Teacher, was stopped in 1821.

He is in religion a Methodist.

His pay was not stopped till the Reverend Dr. Strachan was refused the School House, which he, (the Petitioner,) occupied. The Reverend Doctor attended the public meeting, made an accusing speech, and then immediately retired.

The Common School House, wished for by the Reverend Dr. Strachan, was built by public subscriptions.

*Mr. John Fenton* called in and saith;—That he was an Assistant and expected to participate in the allowance of School moneys, by the Act: but Mr. Appleton satisfied him, (Mr. Fenton,) and took all risk upon himself. It was reported that a free school was opened by Mr. Spragg, which superseded the Common School taught by Mr. Appleton—that was the ostensible reason why the money was withheld from Mr. Appleton. . . .

Mr. Fenton further states, that seventy scholars were then taught by Mr. Appleton and himself, at five shillings per month for each scholar.

*Mr. Jesse Ketchum*\* being examined, said that the house used as a Common School House in York, was built by subscription in 1818.

The first teacher was the Reverend Alexander Stewart. He was employed one whole year, and for some months after, and was always paid his portion of the moneys granted by the Legislature for such Common Schools.

Mr. Appleton was kept four months in suspense, by the intimation given to him and the Trustees, that His Excellency the Lieutenant-Governor had requested that the said School House should be reserved for another Teacher.

In the year 1820, a new election of Trustees took place, when Mr. Appleton was chosen Teacher, and was promised his proportion of the public money, with an understanding that if the said Thomas Appleton gave satisfaction to the Trustees, and the other parties concerned, he should be continued.

About six months after this, a teacher arrived from England, a Mr. Spragg; and at this time a meeting took place for the examination of the scholars, as to their progress.

A few days previous to this meeting, the Reverend Dr. Strachan made application to the Trustees for the School-House, and was told, that at the meeting about to take place, the matter would be taken into consideration.

The Reverend Dr. Strachan attended the said meeting and observed, that there had not been sufficient notice of it given, and requested that an adjournment should be granted, in order that people might be more generally apprised of said meeting.

This was acceded to; and at the second meeting the Reverend Doctor attended and made an harangue, in consequence of the School House not being given up to him, and blamed the Trustees, for not doing so,—saying, they had availed themselves of all the law allowed to such schools, but had not done the duties required of them by the same law.

From that time to the present, witness states, the allowance for that school has been stopped, and also His Excellency's subscription of £10 per annum, has been withheld from said Common School.

That although the Trustees did on that occasion, apply to the District Board of Education, for information on the subject, they have never yet been favoured with an answer.

Witness states, that it is the practice, from all he has seen and heard, that the District Board of Education gives the money to whom it pleases, and withholds it from others, as they think fit and proper.

Witness further states that said teacher, Mr. Thomas Appleton, commenced teaching on the 28th of February, 1820, and has continued to the present time.

*Mr. William P. Patrick*, being examined, stated that, while he was a Trustee for the York Common School-house, he remembers being requested by the Reverend Dr. Strachan to attend a Sunday School meeting at his Church; and that while attending at that place according to his request, Dr. Strachan informed him that His Excellency the Lieutenant-Governor had sent to England for a School Master for the purpose of teaching a Common School in York, and that

\*Jesse Ketchum was born in Spencertown, Columbia County, New York, on the 31st day of March, 1782. In the year 1799, he went to Little York, Canada, (now Toronto,) where an elder brother, Mr. Seneca Ketchum, had a tannery in operation, and entered into business with him. They were very successful, and their fortunes grew rapidly. Mr. Jesse Ketchum found it profitable to extend his business to this city, (Buffalo), which was managed for him by agents and proved remunerative. About 1832, finding his fortune ample, he retired from business, and in 1845, removed to Buffalo, having acquired considerable landed property in this city, the inheritance of which he wished to descend to his children, and here he has lived until his death. . . . The love of the deceased for children, and his interest in their welfare was a marked and very beautiful trait in his character. He was a frequent visitor to the public schools, where he was always received with honour, and no less to the various Sunday schools of the city. On these visits his capacious pockets were always filled with instructive books, which it was his delight to distribute to the children, after he had interested and improved them by well-timed advice. The pleasant face of Father Ketchum will be sadly missed in our schools. It was peculiar to Mr. Ketchum, and a fact to which he often alluded, that he was at once an American citizen and a British subject. Born in this country, he was of course one of its citizens. Having taken up his residence in Canada before he was of age, he became a subject of the British Crown, and by the dogma, "once a subject always a subject," was so at the day of his death.—*Buffalo Courier*.

Mr. Ketchum was a well-known character in Toronto, as in Buffalo. His visits to the Public and Sunday schools were, always booked forward to with pleasure for he always brought his pockets full of books for distribution. As in Buffalo, so in Toronto he left large endowments for the purchase of Bibles and other books, for distribution to both of these classes of schools, so that his name will always be remembered gratefully by those who knew him. The writer often accompanied him on his school visits. He was elected to the House of Assembly for the Town of York, in 1829 and 1831, he died in 1867.



arrangements would be made, so that poor children, who could not otherwise obtain education, would be enabled to receive it gratis; and that it was wished that the School House for which he (Mr. Patrick) was a Trustee, should be reserved for the person sent for to England, by His Excellency, as he was expected about the following July.

Mr. Patrick further stated, that after Mr. Spragg arrived from England—and some time after Mr. Appleton had commenced teaching—at a school meeting of the Trustees and Stockholders, etc., of said school, the Reverend Dr. Strachan came there and wished the Trustees still to give the preference to Mr. Spragg, as a teacher, but the Trustees, being at the time well satisfied with the conduct and abilities of Mr. Appleton, and the time at which they had been led to expect the arrival of Mr. Spragg, having passed for more than a year, they came to a resolution, that they could not with propriety acceded to the Reverend Doctor's request.

Being asked whether the conversation above referred to took place in His Excellency's presence, Mr. Patrick says he cannot say that His Excellency heard the conversation that took place, but that he was in the Church at the time.

Mr. George Hetherington, having been examined stated that he was a Clerk to the General Board of Education appointed in 1823. He said in answer to the

*Query* : Do you know why Mr. Appleton's proportion of the Common School money was stopped?

*Answer* : It was stopped in consequence of an increase of population, and of the number of Schools—twenty-two Common Schools only were allowed in the Home District; and that was the reason why Mr. Appleton's name was struck off.

*Query* : How many Schools were there in operation at that time?

*Answer* : I believe about twenty, or twenty-one. At that time Mr. Appleton was teaching the Common School in York.

The Reverend Alexander Stewart, being examined, stated that he is a Baptist Minister, educated in Edinburgh. A native of Scotland he left it in 1818 for this Province, via Quebec. Upon coming to York, he kept a Common School, (the same as that afterwards kept by Mr. Appleton) for about a year and a half, for which he received the Legislative bounty.

He next kept a school in Toronto Township for a year, ending June 1826. Upon applying for the Legislative bounty, was refused on the ground (as stated by the Reverend Dr. Strachan) that the District Board of Education limited the number of teachers to three in that township.

He presented to the District Board a Petition, but received no answer.

He has known other teachers who have been refused the Legislative bounty, and he knows no other reason than the one assigned to himself.

In the other Districts, the numbers have not been so limited. In the Niagara District there were two townships, where six Common Schools were allowed. He does not know of any such limitation in any other District than this.

Thomas David Morrison, M.D.,\* being examined, stated that he was acquainted with Mr. Appleton since 1819. He (Appleton) is, in his opinion, both as to moral character, and literary acquirements, well suited to teach the Common School in York.

He does not know the cause of Mr. Appleton's being refused the Legislative bounty. He (Appleton) applied to the District Board by letter for the cause and received no answer. He is satisfied that Appleton could not be attempted to be removed for misconduct or want of merit.

An application was made for his removal in favour of a Teacher patronized by His Excellency, and it failed, it being refused by the Trustees, who were Mr. Jesse Ketchum, the Witness, and Mr. Jordan Post.

That the Reverend Dr. Strachan had made application to the preceding Trustees to have a vacancy reserved for some other person than Appleton, who did not arrive.

The application appears to have been made in the name of the Lieutenant-Governor, but without his knowledge.

The subsequent Trustees, above named, made an unlimited engagement with Mr. Appleton. It was expressly understood, that he should continue to be teacher while deserving of their patronage, and of that of the public.

\* In the Rev. Dr. Ryerson's Epochs of Methodism in Upper Canada, he thus refers to Dr. Morrison : "Dr. Morrison had been a clerk in the Surveyor-General's office—had, indeed, while there, collected materials against Dr. Strachan's Ecclesiastical Chart,—but, without any charge, or the slightest deficiency in faithfulness and efficiency, was dismissed for the simple reason that he had become a Methodist. He then devoted himself to the medical profession. He was elected to the House of Assembly for York in 1835 defeating the Attorney-General. He was also elected Mayor of Toronto in 1836. He was the Writer's [and the Editor's] physician during life; died in great peace, strong in faith, giving glory to God. (Pages 188, 189.)



*Mr. Joseph Spragg*, senior, being examined, stated that he was Master of the Upper Canada Central School; he commenced teaching the said school in September, 1820, and believes it to be a free school, except to people who wish to pay for the education of their children; to them the fee is at the rate of 2s. 6d. currency per month;—but, unless they choose to pay, they are free, upon a recommendation, or order, from the Lieutenant-Governor, the remuneration for superintending said school was £150 sterling per annum,—witness understands that the said Central School is paid out of the Crown Revenues. One hundred male and female children sometimes attend the said school; there are about fifty regular scholars;—sometimes seventy who are taught, Reading, Spelling, Grammar, Writing and Arithmetic.

The Committee put the following questions to *Mr. Spragg*.

*Query*: What is the general system of education pursued?

*Answer*: The Reverend Dr. Bell's system, which I consider as prior in invention to Mr. Lancaster's.

*Query*: What is the difference between these two systems?

*Answer*: The principal difference is that Dr. Bell's system is in accordance with the Established Church; and in my School, I use the Church Catechism, and a Collect at morning and evening prayer. But the children are not taught the Church Catechism, when their parents object to it.

*Query*: How many parents have made such objections?

*Answer*: Not more than two, that I recollect.

*Query*: You have stated, that Reading, Writing and Arithmetic are taught in your school, are those branches taught to all?

*Answer*: To all who are able to learn them.

*Query*: Are all taught grammar, and what grammar do you use?

*Answer*: Not all; about seven or eight. I use Murray's Abridgment of the English Grammar.

*Query*: What other allowances have you, besides the salary of £150 sterling, which you receive from the Crown Revenue?

*Answer*: Allowance for house rent.....£40 sterling.

Fuel and candles..... 30 “

In lieu of rations..... 10 “

£80 “

*Query*: Whence do you understand this is paid?

*Answer*: From the Crown Revenue.

*Query*: What do you receive for scholars, and how many have you received payment from?

*Answer*: I receive at the rate of 2s. 6d. provincial currency, per month, for each scholar, but not more than from six to ten of the whole number pay anything.

*Query*: How were you appointed?

*Answer*: I was recommended by Mr. Wilberforce; and was appointed by His Excellency, Sir Peregrine Maitland. I acquired the Bell's system at the Central National School in London, before coming to this Province.

*Query*: What length of time do the scholars generally remain with you?

*Answer*: A few have remained from the commencement to the present time. The greater number remain from six to eighteen months.

*Query*: What are the terms of the tickets of admission.

*Answer*: They are given by His Excellency. They require free instruction to be given until further orders, but I have never received a countermand in any case.

*Query*: To whom are you responsible as Superintendent?

*Answer*: To the Trustees, who are, Colonel Wells, Surveyor-General Ridout, Attorney-General Robinson, Grant Powell, Esquire, and Mr. Justice Willis, who are appointed by His Excellency.

*Query*: Are you in any way subject to any other Board of Trustees?

*Answer*: I cannot say that I am not subject to the General Board of Education of which the Reverend Dr. Strachan, is, I understand President, but there has been, as yet, no interference.

(NOTE.— The following Witnesses were also examined, or written to, for information on this case, but their evidence is not material or important, viz., Messieurs David Wilson, James Parker, and Stephen Heward. Several additional questions were put to Mr. Spragg. His reply was as follows:)

When I attended yesterday morning before the Committee, on the Petition of Mr. Appleton, I gave them all the information in my power on that subject.

With regard to the particulars now applied for, I beg to inform you, that as Master of an institution established by the Crown, and supported by the Crown Revenue, I do not consider myself at liberty to render a statement, in the manner you desire, without the permission of His Excellency the Lieutenant-Governor.

## CHAPTER XLVI.

### IMPERIAL PARLIAMENT COMMITTEE'S REPORT ON THE KING'S COLLEGE CHARTER, ETC., 1828.

In the printed proceedings of the public meeting held at York on the 10th December, 1830,—to which reference is made on page 258,—it is stated that to the Address to the King, adopted by the House of Assembly on the 20th of March, 1828, “no answer has yet been sent,” up to the date of that meeting.

This, however, was not the case; but that Address and the proceedings of the House of Assembly on the King's College Charter were acknowledged in a Despatch from the Colonial Minister in September, 1828. They were also brought under the notice of a Committee of the House of Commons “appointed to inquire into the state of the Civil Government of Canada” in May, 1828. The Report of this Committee was made to the House of Commons on the 22nd of July, 1828. It was reprinted by order of the Lower Canada House of Assembly in 1829—two hundred copies of which were ordered by the Upper Canada House of Assembly. The Lower Canada edition extends to 377 pages. It deals chiefly with matters relating to that Province.

I give the extracts from the Report relating to the Charter of King's College, and also the evidence of the late Reverend George Ryerson, and that of the Right Honourable R. J. Wilmot Horton, then Under Secretary of State for the Colonies.

The Reverend Dr. Strachan, in his speech at the opening of King's College, in June, 1843, thus refers to the proceedings of the House of Assembly in 1828, and of the Committee of the Imperial Parliament on the subject of the Royal Charter of King's College, etc. He says:—

On my arrival in this Province with the Charter and authority for the endowment (of King's College), the Chancellor, Sir Peregrine Maitland, lost no time in forming the College Council. Schedules of the lands were prepared, and, in obedience to His Majesty's commands, they were secured by patent to the Corporation of the University of King's College.

In his Speech from the Throne on the 15th of January, 1828, His Excellency informed the Legislature that His Majesty, (King George the Fourth,) had been graciously pleased to issue His Letters Patent, bearing date at Westminster, the fifteenth day of March, in the eighth year of his reign, establishing in the Province a College, with the style and privileges of a University, to be called “King's College,” to which was annexed a munificent endowment—an event which the Lieutenant-Governor regarded among those objects which were the most to be desired for the welfare of the Colony.

In acknowledging this communication, the Legislative Council expressed their grateful feelings for so valuable a boon ; but the House of Assembly returned thanks in very measured terms. (See page 233.) . . . Indeed much pains had been taken . . . to poison the minds of the people against the Charter, and induce them to send petitions against it. . . . Nevertheless, these petitions had the effect of inducing the House of Assembly to pass an Address on the 15th of February to the Lieutenant-Governor, Sir Peregrine Maitland, requesting a copy of the Charter, information respecting the endowment, and other matters connected with the institution. A copy of the Charter, and an account of the endowment, were transmitted, as requested, on the 29th of February ; and on the 20th of March, an Address to His Majesty was agreed upon by the House of Assembly, in which objections were urged against the Charter of the University, as being of a nature too exclusive. (See pages 239-243, *ante*.)

This Address attracted the notice of a Select Committee of the House of Commons ; and, in their Report on the 22nd of July, 1828, they advise a change in the constitution of the College Council, so that no religious test may be required ; and that a Theological Professor of the Church of Scotland should be established in addition to that of the Church of England, whose lectures the candidates for holy orders in the respective churches should be required to attend.

The following is a copy of that part of the Report of the Select Committee of the House of Commons relating to the Charter of King's College, to which reference has been made. The document is headed as follows :—

The Select Committee appointed to enquire into the state of the Civil Government of Canada, as established by the Act 31 George III., Chapter 31, and to report their observations thereupon to the House ; and to whom several petitions for an alteration in the present Government were referred ; have examined the matters to them referred, and agreed to the following report\* :—

The attention of the Committee having been drawn to the establishment of the University of King's College, at York, in Upper Canada, they thought it their duty to examine the Charter granted to that College ; that Charter was granted under the Great Seal, and it is to be observed that it does not impose on the students an obligation to subscribe to the thirty-nine articles, which was done in the case of the other North American Colleges. Your Committee find it provided, amongst other arrangements for the conduct and government of this institution, that the Archdeacon of York for the time being shall, by virtue of his office, at all times be President of the said College.

It is further ordained that there shall be within the said College or Corporation a Council to be called and known by the name of the College Council, which shall consist of the Chancellor, the President, and of seven Professors in Arts and Faculties of the said College ; and that such said Professors shall be members of the Established Church of England and Ireland, and shall, previously to their admission, sign and subscribe the Thirty-Nine Articles of Religion. To this Council the whole government of the College is confided. Of the great advantage which the establishment of a College for the purposes of general education in Upper Canada is likely to confer upon the Province, your Committee entertain the strongest conviction ; they lament only that the Institution should be so constituted as materially to diminish the extent to which it might be useful.

It cannot, they think, be doubted, as the guidance and government of the College is to be vested in the hands of the members of the Church of England, that in the election of Professors a preference would inevitably be shown to persons of that persuasion ; and in a country where only a small proportion of the inhabitants adhere to that Church, a suspicion and jealousy of religious interference would necessarily be created.

For these and other reasons, the Committee are desirous of stating their opinion, that great benefit would accrue to the Province by changing the constitution of this body. They think that two Theological Professors should be established, one of the Church of England and another of the Church of Scotland, (whose lectures the respective candidates for holy orders should be required to attend), but that with respect to the President, Professors, and all others connected with the College, no religious test whatever should be required.

That in the selection of Professors no rule should be followed, and no other object sought than the nomination of the most learned and discreet persons, and that (with exception of the Theological Professors) they should be required to sign a declaration that, as far as it is necessary

\*In a pamphlet published at Toronto in 1854 by Mr. John Macara, a law student, (lately from Edinburgh), entitled "The Origin, History and Management of the University of King's College, Toronto." Mr. Macara states that this Committee was appointed on motion of Mr. Huskisson, then Colonial Secretary. The Committee consisted of Messieurs Huskisson, Wynn, Wilmot-Horton, Vesey-Fitzgerald, Stuart-Wortley, Baring, Henry Labouchere ; the Solicitor-General, Lord Francis Leveson-Gower, Viscount Sandon, Mr. (afterwards Lord) Stanley, and Sir James Mackintosh, etc.



for them to advert in their lectures to religious subjects, they would distinctly recognize the truth of the Christian Revelation, but would abstain altogether from inculcating particular doctrines.

COMMITTEE ROOM, HOUSE OF COMMONS,  
22nd of July, 1828.

APPENDIX.—EXTRACTS FROM MINUTES OF EVIDENCE.

*Mr. George Ryerson called in and examined on the 18th of June, 1828, as follows :—*

Q. Are you acquainted with the Provinces of the Canadas ?

A. Yes, I am.

Q. In what capacity have you become acquainted with them ?

A. I have lived there about twenty-eight years.

Q. Of what country are you a native ?

A. I am a native of Nova Scotia.

Q. Are you a landholder in either of the Canadas ?

A. Yes, I am a landholder and Magistrate in the District of London in Upper Canada, and have been for a number of years.

Q. Did you come here as agent for any Petition ?

A. I was appointed agent after I came here ; I came on private business.

Q. What Petition is that which you have been appointed to represent ?

A. A Petition relative to the constitution of the University of Upper Canada, and the appropriation of the clergy reserves.

Q. By what numbers was that Petition signed ?

A. By about eight thousand.

Q. What were the prayer and the objects of the Petition ?

A. The object of the Petition was to procure such an alteration in the Charter of the proposed University in Upper Canada as would render the institution equally beneficial and accessible to all denominations of Christians, and to solicit the Government to sell the clergy reserves and to appropriate the proceeds for the support of public schools free from religious tests, and for the purposes of internal improvement in Upper Canada.

Q. What schools are there connected with the Church of England establishment ?

A. The District (Grammar) Schools, of which the Rev. Dr. Thomas Phillips is the teacher at York ; and a Central School on the National system at York also.

Q. Are there any District Schools for the other denominations ?

A. There are two large schools that consist of Methodists, Presbyterians, and others.

Q. Did the Select Committee of the House of Assembly express any opinion upon the University that has lately been founded in Upper Canada, with reference to its religious character ?

A. Yes ; they disapprove of the character of it, and I believe it is generally disapproved of by the largest proportion of the people in Upper Canada.

Q. Upon what grounds ?

A. On account of its being under the exclusive control of one denomination of Christians, and requiring religious tests, and the large appropriation of lands which is made for its support renders it unlikely that other institutions will be founded, open to other denominations of Christians.

Q. Have you a copy of the resolutions relative to the appropriation of the clergy reserves, which were passed in the House of Assembly of Upper Canada on the 22nd of December, 1826 ?

A. I have. I will read them.

(NOTE.—Witness read them all ; but only the seventh, eighth and ninth refer to education. They are as follows :—)

7th. Resolved, That in a thinly inhabited country, such as Upper Canada, where the means of moral instruction to the poor are not easily obtained, it is the bounden duty of the Parliament to afford every assistance within its power towards the support of education.

8th. Resolved, That the present provision for the support of district and common schools is quite inadequate to the wants of the people, and ought by every reasonable exertion to be increased, so as to place within the reach of the poorest inhabitant the advantages of a decent education.

9th. That it is the opinion of a great proportion of the people of this Province that the clergy lands, in place of being enjoyed by the clergy of an inconsiderable part of the population, ought to be disposed of, and the proceeds of their sale applied to increase the provincial allowance for the support of district and common schools, and the endowment of a provincial seminary for learning, and in aid of erecting places of public worship for all denominations of Christians. These resolutions were carried by the following vote :—Yes, 31. Nays, 2. Majority, 29.

Q. What do you conceive would be the best way of settling a provision to supply the religious wants of the country in Upper Canada ?

A. I think that at least nineteen-twentieths of the country wish that the clergy reserves should be appropriated for the establishment of schools.

Q. Does the Legislative Council consist of placemen ?

A. Yes.

Q. Can you give the Committee any statement relative to the persons of whom the Legislative Council is composed ?

A. It contains five who are members of the Executive Council : They are the Honourable William Campbell, Chief Justice ; the Speaker ; the Right Reverend the Bishop of Quebec ; the Honourable James Baby, Inspector-General ; the Honourable and Venerable Archdeacon Strachan ; and the Honourable George Markland. Seven of the other members of the Council are persons holding offices of emolument under the Government ; they are the Honourable William Dummer Powell, who is now in England on a pension ; the Honourable John McGill, the late Inspector-General, etc., who is retired on a pension ; the Honourable Joseph Wells, who is on half pay, and a Commissioner, etc. ; the Honourable Duncan Campbell, the Provincial Secretary ; the Honourable John Henry Dunn, the Receiver-General ; the Honourable Thomas Ridout, the Surveyor-General ; and the Honourable William Allan, who holds numerous offices ; the other five are persons not holding places of emolument under Government, and they are the Honourable Thomas Clark ; the Honourable William Dickson ; the Honourable Neil McLean ; the Honourable George Crookshank, and the Honourable Angus McIntosh ; the Honourable Thomas Talbot has never taken his seat as a Legislative counsellor.

Q. Do you conceive that any alteration in the composition of the Legislative Council is generally desired by the inhabitants of Upper Canada ?

A. Yes ; and I believe that nearly all our grievances would be removed by the Legislature of Upper Canada, were the Legislative Council independent ; without some change in this part of our constitution I believe no remedy can be effectual ; and this I have reason to think is the general opinion in Upper Canada.

Mr. William Hamilton Merritt was called in and examined on the 26th of June, 1828 ; but none of his evidence related either to schools or education.

The Right Honourable Robert John Wilmot Horton, a member of the Committee, was examined on the 1st of July, 1828. His evidence relating to the University Charter is as follows :—

The Committee have been informed that the establishment of the University of Upper Canada, from the Government, of which all denominations of Protestants, except those that belong to the Church of England, have been excluded, has materially tended to increase the jealousy that already existed in Upper Canada, with regard to the Church of England.

Q. Can you inform the Committee under what instructions that University was so founded ?

A. It was founded by a Charter under the Great Seal, and it relieved the students from the obligation to subscribe to the Thirty-Nine Articles, which had been an obligation imposed by the Constitution of the other North American Provinces.

Q. In what way is the University endowed? A. It is endowed with lands, and an appropriation [of £1,000 a year as a grant towards a building fund, for sixteen years] from the proceeds of the Crown Reserves sold to the Canada Company.

Q. Has not the College Council the appointment of the Professors? A. Undoubtedly.

Q. Are not all the Members of the Council required to be Members of the Church of England? A. Yes.

NOTE. This Report was sent to Sir Peregrine Maitland on the 31st July, 1828.

THE FOREGOING REPORT PRACTICALLY EMBODIED IN THE COLONIAL SECRETARY'S REPLY TO THE HOUSE OF ASSEMBLY'S ADDRESS OF THE 20TH MARCH, 1828.

On the 12th of May, 1828, the Lieutenant-Governor, Sir Peregrine Maitland, transmitted to the Colonial Secretary the Address of the House of Assembly of the 20th of March, in regard to the King's College Charter, etc.

In the meantime a change in the Colonial Department, and in the Lieutenant-Governorship took place. Sir George Murray, who had acted for a short time as Administrator of the Government of Upper Canada in 1815, (see page 88), succeeded Earl Bathurst as Colonial Secretary, and Sir John Colborne, (Lord Seaton), replaced Sir Peregrine Maitland as Lieutenant-Governor, late in the year 1828.

In obtaining such an expression of opinion on the King's College as was embodied, the foregoing Report of an influential Committee of the Imperial Parliament, the Colonial Secretary was greatly assisted in framing his reply to the Address of the Upper Canada House of Assembly to the King against the terms of that Charter. That Address was by the preceding Colonial Minister, Mr. Huskisson, referred to the Committee for its consideration and report thereon.

Sir George Murray, as Colonial Secretary, under date of the 29th of September, 1828, acknowledged this Address of the House of Assembly of March of that year. He also referred to other matters in his Despatch. I give only, however, those portions of the Despatch which refer to the Charter of King's College, etc. In addressing Sir John Colborne, the new Lieutenant-Governor, he said:—

I have to acknowledge the receipt of a Despatch from Sir Peregrine Maitland, dated the 12th of May last, enclosing an Address from the House of Assembly to His Majesty. (See page 242.)

In the Address it is stated that only a small portion of the inhabitants of the Province are members of the Church of England, and that the University recently established under the Royal Charter will produce no practical benefit to the majority of the people, but will be regarded with distrust in consequence of the peculiar privileges which it confers upon members of the English Church; it is, therefore, desired that a new Charter may be granted upon more comprehensive principles.

It would be deservedly a subject of regret to His Majesty's Government, if the University, recently established at York, should prove to have been founded upon principles which cannot be made to accord with the general feelings and opinions of those for whose advantage it was intended.

Your Excellency will acquaint the House of Assembly that I have laid the Address before the King, and that I have it in command to convey, through you, to the House of Assembly the expression of His Majesty [desire] at all times to receive with the most serious attention any representation which may be made to Him by the representatives of His faithful subjects in Upper Canada, etc.



I have observed that your predecessor in the Government of Upper Canada differs from the House of Assembly as to the general prevalence of objections to the University, founded upon the degree of exclusive connection which it has with the Church of England. it seems reasonable to conclude, however, that on such a subject as this, an Address adopted by a full House of Assembly, with scarcely any dissentient voices, must be considered to express the prevailing opinion in the Province upon this subject.

In the event, therefore, of its appearing to you to be proper to invite the Legislative Council and House of Assembly to resume the consideration of this question, you will apprise them that their representations on the existing Charter of the University have attracted the serious attention of His Majesty's Government, and that the opinions which may be expressed by the Legislative Council and House of Assembly on that subject will not fail to receive the most prompt and serious attention.

GEORGE MURRAY.

What Sir George Murray here suggested, rather than directed, was carried out by Sir John Colborne when the Legislature met in 1829. He sent a message to either House on the subject, in which, while he adhered to the tenor of the Despatch, and mentioned its receipt by him, he did not disclose its nature, except in general terms, nor did he intimate the purpose for which it was sent to him by the Colonial Minister. This, probably, was the cause why, in his address at the opening of King's College, long after Sir John Colborne had left Canada, the Reverend Doctor Strachan was partly at a loss to understand why it was that the proceedings and policy of Sir John Colborne, on the question of the University Charter, differed so widely from those of his predecessor, Sir Peregrine Maitland.

When asked by the Legislative Council, (of which the Reverend Doctor Strachan was a member,) and by the House of Assembly, for a copy of the instructions which he may have received from His Majesty's Government on the subject, Sir John Colborne replied that these instructions could "not with propriety be separated from other topics which the Despatches from His Majesty's Government embrace." He, therefore, declined to accede to the request of the two Houses on the subject.

This reticence on the part of Sir John Colborne, as to the views and opinions of the Imperial Government in regard to King's College Charter, may have misled the public meeting held in the Town of York on the 10th of December, 1830, when it published the Address of the House of Assembly to the King, of the 20th of March, 1828, "to which [it stated] no answer had yet been sent." And yet the substance of the reply to that Address which he acknowledged to have received had been communicated by Sir John Colborne to the two Houses of the Legislature in January, 1829. In the Reverend Doctor Strachan's speech, at the opening of King's College, in June, 1843, he said :—

A few days after Sir John Colborne, now Lord Seaton, assumed the administration of the Colony (in 1828), he convened the College Council, and acting, it is supposed under special instructions, stated that no further steps should be taken towards bringing the University into operation. His Excellency's communication was made in terms the most positive, for he declared that not one stone should be put upon another, until certain alterations had been made in the Charter, and he utterly refused, as Chancellor, to concur in any measures having for their object the progress of the institution.

Under the circumstances thus announced, in a manner altogether unusual, and not likely to be forgotten, the College Council could but submit, in the earnest hope that a more correct consideration of the subject would lead to a removal of the prohibition for which there was not, in my judgment, and I believe in that of any member at the time, adequate cause. (Proceedings, pages 41, 42.)

## CHAPTER XLVII.

## EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF UPPER CANADA IN 1829.

The first session of the Tenth Parliament of Upper Canada, was opened by Sir John Colborne, the newly arrived Lieutenant-Governor, by the usual Speech from the Throne. In it he made the following reference to the Public (Grammar) Schools of the Province, and especially to the one then in operation in the Town of York, which was then designated as the "Royal Grammar School." He gave no intimation then (as he did on the 17th of January, page 261) that he had received a communication from the Colonial Secretary on the subject of the Charter of King's College, and on which the House of Assembly had addressed the Imperial Government during its last session. He, however, intimated to both Houses the scheme which he evidently had decided upon, to make the "Royal Grammar School" at York an adjunct to the projected University. He said:—

The Public (Grammar) Schools are generally increasing, but their present organization appears susceptible of improvement.

Measures will be adopted, I hope, to reform the Royal Grammar School, and to incorporate it with the University recently endowed by His Majesty, and to introduce a system in that Seminary, that will open to the youth of the Province the means of receiving a liberal and extensive course of instruction.

Unceasing exertions should be made to attract able masters to this country, where the population bears no proportion to the number of offices and employments, that must necessarily be held by men of education and acquirements, for the support of the laws and of your free institutions.

Referring to this speech to both Houses by Sir John Colborne, the Reverend Doctor Strachan, in his remarks at the opening of King's College, said:—

In his Speech to the Legislature, on the 8th of January, 1829, Sir John Colborne, notices the University very slightly, and only in connection with Upper Canada College, etc. (Page 42.)

## 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1829.

This being a new Parliament,—the tenth,—several new members took their seats in the House of Assembly for the first time. There were twenty-six constituencies, represented by forty-five members. The most noted of the new members elected were Messieurs William Lyon Mackenzie, whose name is so largely identified with the after history of Upper Canada; Thomas Dalton, afterwards well known as the spirited Editor of the *Toronto Patriot* (Conservative) newspaper; Jesse Ketchum, the noted philanthropist of Toronto and Buffalo; Caleb Hopkins, who was, down to late years, a member of the House of Assembly, and Dr. William Warren Baldwin, a distinguished public man of his day, and father of his well known son, Robert Baldwin, the leader of the Reform party, and the champion of the principle of "responsible government," as it was termed in the early forties.

The members who took part in the educational proceedings of the House of Assembly in 1829 were Messieurs Hugh C. Thomson, John Rolph, William Lyon



Mackenzie, John Willson (the former Speaker), William Buell, junior, William Woodruff, Thomas Hornor, [or Horner, as it sometimes appears in the Journals of the House] James Wilson, Archibald McLean, William Morris, John Mathews, and Doctor John J. Lefferty—twelve in all. The Honourable Marshall Spring Bidwell was elected Speaker.

*9th January, 1829.*—Mr. Hugh C. Thomson gives notice, that he will, on Monday, the nineteenth instant, move for leave to bring in a Bill to repeal an Act passed in the fifth [fourth] year of His Majesty's reign (1824, 4th George IV, chapter 8), granting the sum of one hundred and fifty pounds (£150) annually for the purchase of Sunday School books.

*10th January, 1829.*—Mr. John Rolph, seconded by Captain John Mathews moved that it be resolved that this House will, on Monday, the twelfth instant, resolve itself into a Committee of the Whole upon His Excellency's speech. Which was carried.

*12th January, 1829.*—Agreeably to the Order of the Day, the House went into Committee on the Speech of His Excellency, the Lieutenant-Governor, at the opening of the present session. Mr. Donald McDonald was called to the chair.

The House having resumed, Mr. McDonald reported that the Committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House. On the question for receiving the Report the House divided, and the Report was adopted by a vote of 37 to 4, majority of 33. The Resolutions, from one to nine, (relating to general subjects) were severally put and carried. The tenth Resolution was then put and carried, and was embodied in the Address to the Lieutenant-Governor, as follows :

*To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.:*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank Your Excellency for your gracious Speech from the Throne at the opening of the present session.

We will direct our anxious attention to the state of the Public Schools and consider what improvements in the present imperfect and unsatisfactory system are best calculated to open to the youth of this Province the means of receiving a liberal and extensive course of instruction ; and we are fully sensible of the vast importance of unceasing exertions to attract able masters to this country, where the population and wealth bear no proportion to the number of offices and employments which ought to be held by men of education and acquirements, disposed to support the laws, and, what we are highly gratified to find so favourably mentioned by Your Excellency, the free institutions of our country.

While we thus welcome the respect of Your Excellency for the just liberties of the people, Your Excellency may rely upon our dutiful regard for the constitutional exercise of His Majesty's Royal Prerogative.

MARSHALL S. BIDWELL,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
13th of January, 1829.

*13th January, 1829.*—The House met. Agreeably to the Order of the Day, the foregoing Address, in answer to His Excellency's Speech at the opening of the present session was read the third time.

On the question of passing the Address, the House divided and the yeas and nays were taken. Yeas 37, Nays 1. The question was carried in the affirmative by a majority of 36, and the Address as above was signed by the Speaker.

On motion of Mr. John Rolph, seconded by Mr. Robert Dickson, Messieurs John Mathews and George Hamilton were appointed a Committee to wait upon His Excellency to learn when he would receive the Address from this House.

(NOTE.—The Address was presented to Sir John Colborne on the 14th of January, 1829.)

Mr. John Rolph gives notice, that he shall, on to-morrow, move for the appointment of a Select Committee to enquire into the present state of education in this Province ; to report what changes are expedient in the present system of District (Grammar) and Common Schools ; and upon the practicability of putting into early operation a College opening to the youth of this country the means of receiving a liberal and extensive course of instruction, pursuant to His Excellency's recommendation, in his gracious Speech from the Throne.



14th January, 1829.—Mr. William Lyon Mackenzie gives notice, that, on to-morrow, he will move the following resolution :—

*Resolved*, That on to-morrow at 12 o'clock, noon, the following Standing Committees be appointed to continue during the present Session. . . .

5. Standing Committee on Education.—Five Members.

15th January, 1829.—Mr. John Willson gives notice, that he will move, on Thursday next, that the House do resolve itself into a Committee of the Whole, to take into consideration the state of Education in this Province, and the inadequacy of the means now by law applied to the futherance of that object ; and to enquire whether any, and what other, or further provision, may be made, to ensure the attainment of so great and important advantages to the people of this Province.

16th January, 1829.—Mr. John Rolph, seconded by Captain John Mathews, moves, that it be resolved, that a Select Committee be appointed to enquire into the present state of Education in this Province, to report what changes are expedient in the present system of District (Grammar) and Common Schools, and to consider and report upon the best and most practicable means of opening to the youth of this Province the means of receiving a liberal and extensive course of instruction, and that Messieurs William Warren Baldwin, Peter Perry, Robert Dickson and William Buell, junior, be that Committee, with power to send for persons and papers, and to report by Bill, or otherwise. Which was ordered.

Mr. Hugh C. Thomson gives notice that he will, on Monday the 26th instant, move certain resolutions relative to the appointment of Trustees of District (Grammar) Schools within this Province.

17th January, 1829.—The Speaker announced to the House the receipt of a Message from His Excellency the Lieutenant-Governor, and, rising uncovered, read the same to the House as follows :—

J. COLBORNE :—

The Lieutenant-Governor, acquaints the House of Assembly, that His Majesty's Secretary of State for the Colonies has acknowledged the receipt of a Despatch with an Address from the House of Assembly of the last Parliament, praying that the moneys arising from the sale of lands set apart in this Province for the support and maintenance of a Protestant Clergy, may be placed at the disposal of the Legislature of the Province, (for defraying the expense of certain public works for the internal improvement of the country,) and for the promotion of general education ; and praying that the University recently endowed, may be established on more comprehensive principles, than those on which it is placed by the present Charter.

(NOTE.—The omitted paragraphs relate to the expressions of loyalty on the part of the House of Assembly, in its Address to the King of the 20th of March, 1828, and to the disposition of the Clergy Reserves.)

The Lieutenant-Governor has no doubt that it would be deservedly a subject of regret to His Majesty's Government, if the principles on which the University is founded cannot be made to accord with the general feeling and opinion of those for whose advantage it was intended ; and he believes that the first change in the Charter which should be recommended and which would conduce more than any other to its becoming eminently useful to the Province, is the connecting the Royal Grammar School with King's College, in such a manner that its exhibitions, scholarships and chief support may depend on the funds of that endowment.

The advantages that will result from an Institution conducted by nine or ten able Masters, under whose tuition the youth of the Province could be prepared for any profession, are indisputable and if such a school were permanently established, and the Charter so modified that any Professor shall be eligible for the Council, and that the students in the College shall have liberty and faculty of taking degrees in the manner that shall be hereafter directed by the Statutes and Ordinances framed by His Majesty's Government, the University must flourish, and prove highly beneficial to the Colony.

J. C.

GOVERNMENT HOUSE,  
YORK, 17th January, 1829.

Mr. William Morris, seconded by Mr. Alexander Fraser, moves that an humble Address be presented to His Excellency the Lieutenant-Governor, thanking His Excellency for his Message of this day, and assuring His Excellency that this House will take the matter thereof into its most

serious consideration. Which was carried. (The Address, in these terms, was presented to Sir John Colborne on the 20th of January, 1829.)

*19th January, 1829.*—Mr. William Buell, junior, seconded by Dr. William Warren Baldwin, moves that the Message of His Excellency, respecting the Clergy Reserves and Education, of Saturday last, be referred to the Select Committee on Education. Which was ordered.

*22nd January, 1829.*—Mr. William Woodruff brought up the Petition of Mr. Chauncey Beadle, and of Mr. Jacob Keefer, and others, Trustees of the Grantham Academy, which were laid on the Table.

*24th January, 1829.*—Agreeably to the Order of the Day, the Petition of Mr. Chauncey Beadle, and four others, Trustees of the Grantham Academy, praying for an Act of incorporation, and another Petition from the same persons, in the same capacity, praying for pecuniary aid to enable them to procure suitable tutors for said Academy, were read.

*27th January, 1829.*—Mr. William Lyon Mackenzie, seconded by Mr. John Cawthra, moves, that an humble Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to cause to be laid before this House for its information, a statement of the funds which have been obtained, and set apart, for the erection of an University in this town, or neighbourhood, as well as the appropriations made from and out of said funds; and that Messieurs Robert Randal and Jesse Ketchum be a Committee to draft and report the same, as also that the 32nd rule of this House be dispensed with, so far as it may relate to this motion. Which was ordered.

Mr. Randal, from this Committee, reported a draft of Address, which was received and read a first and second time, concurred in and ordered to be engrossed and read a third time this day.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor for information in regard to the Casual and Territorial Revenue Accounts and of the University fund was read the third time passed and signed by the Speaker as follows:—

*To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.:*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament Assembled, humbly request Your Excellency to cause to be laid before this House, for its information, . . . a statement of the Funds which have been obtained and set apart for the erection of an University in this Town, or neighborhood, as well as the appropriations made from, and out of, said Funds.

MARSHALL S. BIDWELL,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
27th January, 1829.

Mr. William Lyon Mackenzie, seconded by Mr. Jesse Ketchum, moves that Messieurs John Rolph and Donald McDonald be a Committee to present to His Excellency the said Address. Which was ordered.

*29th January, 1829*—Mr. John Rolph, from the Committee to wait upon His Excellency the Lieutenant-Governor, with the Address of this House, requesting His Excellency to cause to be laid before them certain accounts of Casual and Territorial Revenue and University Funds reported delivering the same, and that His Excellency had been pleased to answer the Address in the following manner:—

\* \* \* \* \*

GENTLEMEN:—

The statements applied for respecting the University, shall be laid before the House.

J. C.

GOVERNMENT HOUSE,  
YORK, 29th of January, 1829.

*3rd February, 1829.*—The Lieutenant-Governor sent down to the House a statement of the Appropriation of the Annual Payments to His Majesty's Government, by the Canada Company, as directed by the Lords Commissioners of His Majesty's Treasury. In this statement was an item as follows: Towards the Building of a College in Upper Canada, £1,000, sterling.

*6th February, 1829.*—Mr. William Buell, junior, from the Committee appointed to enquire into the present State of Education in this Province, etc., reported as their first Report, an Address to His Excellency, on that subject, which was received, and read twice, concurred in, and ordered to be engrossed and read a third time this day.



7th February 1829.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, reported by the Committee on Education, was read the third time, passed and signed by the Speaker, and is as follows :

*To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.:*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request Your Excellency to inform this House, the extent of Land reserved for Schools in the several Townships of this Province; the number of lots sold; to whom, and at what price; the sums paid, and the sums yet due thereon, and how such funds have been appropriated.

MARSHALL S. BIDWELL,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
7th February, 1829.

Mr. John Rolph, seconded by Captain John Mathews, moves, that Messieurs Thomas Hornor and Finlay Malcolm be a Committee to wait upon His Excellency to know when he will be pleased to receive the Address last read, and to present the same. Which was ordered.

9th February, 1829.—Mr. William Woodruff, from the Committee to which was referred the two several Petitions from the Trustees of the Grantham Academy, informed the House, that the Committee had agreed to make their first Report by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. The Report was as follows :—

*To the Honourable Marshall S. Bidwell, Speaker of the Commons House of Assembly :*

The Committee to whom was referred the Petition of Jacob Keefer and others, praying for aid to the proposed Grantham Academy, respectfully submit the following Report :

Your Committee are of opinion that it would be expedient to grant a sum of money not exceeding £            annually for the term of            years towards the support of the Grantham Academy.

In a new country where capital is scarce, and the best directed enterprise, inadequate to contend with the difficulties and expenses which press upon such an institution at its commencement, it has often been found beneficial to afford a bounty, or temporary aid.

There can be few objects more important than the extension of education in this Province; and as the District (Grammar) School is provided with only one Teacher, whose unassisted exertions cannot be expected efficiently to embrace the various branches of learning and knowledge, the utility of such an Academy is the more obvious.

But the first expense in providing teachers on a more extended scale than hitherto enjoyed in the Province, with even moderate salaries, would require assistance, until from being in useful operation, the Academy had an opportunity of attracting the attention of the public and receiving a more liberal share of its patronage.

Your Committee, however, recommend this pecuniary encouragement to be given only upon satisfactory testimonials being afforded to His Excellency from the public exhibitions in the school, and from a report by disinterested persons appointed by His Excellency from time to time to examine into its state.

WILLIAM WOODRUFF,  
Chairman.

COMMITTEE ROOM, COMMONS HOUSE OF ASSEMBLY,  
9th of February, 1829.

The Report was ordered to be received, and the Bill was read the first time, and ordered for a second reading to-morrow.

Mr. Thomas Hornor, from the Committee to wait on His Excellency the Lieutenant-Governor, with the Address of this House, reported by the Committee on Education, and adopted by this House, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :—

GENTLEMEN :

The information solicited in this Address shall be laid before the House of Assembly.

J. C.

GOVERNMENT HOUSE,  
YORK, 12th February, 1829.



13th February, 1829.—Mr. Donald McDonald brought up the Petition of Mr. Simon Cass and others of the Township of Hawkesbury, in the Ottawa District, which was laid on the Table.

14th February, 1829.—Agreeably to the Order of the Day, the Petition of Mr. Simon Cass, of the Township of Hawkesbury, in the Ottawa District, praying for an act of incorporation to hold ground for a school-house, was read.

18th February, 1829.—Mr. Secretary Mudge brought down from His Excellency the Lieutenant-Governor a Message, with other documents, and having delivered the same to the Speaker, retired.

The Speaker then read the message, as follows :—

J. COLBORNE :

The Lieutenant-Governor transmits for the information of the House of Assembly a statement of the funds which have been received and set apart for the erection of an University in this Province, in compliance with the Address of that House of the 29th of January.

J. C.

GOVERNMENT HOUSE,

YORK, 18th February, 1829.

# A STATEMENT OF THE FUNDS AND SOURCES OF INCOME, ETC., SET APART FOR THE ERECTION AND SUPPORT OF KING'S COLLEGE, UPPER CANADA.

1. A grant from His Majesty towards erecting the building of £1,000 sterling per annum for sixteen years from 1st January, 1828, of which one year has been received (as per accompanying abstract of the Bursar's account current.)

2. A grant of 225,944 acres of the Crown Reserves assigned over to the College. The revenue arising from which cannot be at all accurately ascertained until the reports from the different surveyors now employed in the general survey of these lands shall have been received, inasmuch as it appears by reference to the Surveyor-General's Office that very many of the lots were merely applied for, and many others which were ordered for lease, it is well known, still remain in their wild state, and are likely to remain until leased or sold to other applicants; the original lessees having evidently abandoned all intention of occupying their respective lots, by their having suffered the leases to expire, without, in many instances, paying any rent whatever upon them, in others but a small proportion, and in both making no improvement upon the lands. Furthermore, as the College Council is selling off a certain proportion of their lands, it follows that every sale diminishes the rental arising from leases.

N. B.—The probable rental from the leased lands at the time they were transferred to the College may be estimated at less than £1,000 per annum.

3. A future additional source of income will arise from the interest upon the proceeds of the sales of lands exceeding in amount the former rents on such lands; but of this increase of revenue no estimate can at present be formed.

Of these lands there have been sold—

To the 31st December, 1828,	3,167 acres for	£3,756	10	0
From 1st to 31st January, 1829,	2,790	“	3,165	0 0
Total,		5,957	“	£6,921 10 0

Of which has been paid in part—

To the 31st December, 1828,	£773	1	0
From 1st to 31st January, 1829,	288	7	6

As credited in the accompanying abstract of the Bursar's account current,

£1,061	8	6	1,061	8	6
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Balance to be hereafter collected,	£5,860	1	6
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This balance of £5,860 1s. 6d. is claimable only by annual instalments of one-tenth of the original purchase, with interest payable upon each instalment, the purchasers having the option of completing their entire payments as much within the nine years as they may deem expedient, and which permission some have already availed themselves of; this, therefore, will serve to account for the balance remaining unpaid as above, being less than nine-tenths of the amount of sales.

JOSEPH WELLS,

KING'S COLLEGE, February, 1829.

Bursar, King's College.

19th February, 1829 —Agreeably to the Order of the Day the Address to His Excellency the Lieutenant-Governor, thanking him for his Message of yesterday, was agreed to and signed as follows :—

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc. :

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly thank Your Excellency for your Message of yesterday, respecting the funds reserved for the University in this Province.

MARSHALL S. BIDWELL.  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
19th February, 1829.

20th February, 1829.—Mr. Secretary Mudge brought down from His Excellency a Message, and having delivered it to the Speaker, retired.

The Speaker then read the Message, as follows :—

J. COLBORNE :

The Lieutenant-Governor transmits, for the information of the House of Assembly, a copy of a report made to him by the President of the General Board of Education, together with copies of all Reports of the Trustees of the Public District (Grammar) Schools, and of the District Boards of Education, which have been received.

J. C.

GOVERNMENT HOUSE.  
YORK, 20th February, 1829.

The following is the Report from the Reverend Doctor Strachan, President of the General Board of Education of Upper Canada, to His Excellency Sir John Colborne, Lieutenant-Governor :—

MAY IT PLEASE YOUR EXCELLENCY :

The General Board for the superintendence of Education throughout the Province have the honour to report that the President, during last summer, visited in person all the Districts of the Province, and not only inspected the Grammar Schools, but examined minutely the systems of management adopted by their respective Teachers.

In several of the schools he found the attendance thin and discouraging ; but in others the business of instruction was well conducted and the system such as to merit his approbation.

Among those which appeared in a prosperous condition he cannot forbear to mention the Western Gore, Midland and Eastern District (Grammar) Schools.

In the two last, several of the pupils had made great progress for their age in Mathematics ; and, at Cornwall, a boy was produced by the Master, the Rev. Mr. Urquhart, hardly twelve years old who demonstrated in a very satisfactory manner one of the most difficult proposition in Euclid's elements.

In order to produce a greater uniformity of system, and to supply, in some measure, the want of experience to younger teachers, the President has submitted an outline of study for the Grammar Schools (see page 109), the adoption of which the Board cannot but think would be highly beneficial, and produce a higher standard of education through the Province.

The following table will place under Your Excellency's notice, at one view, the state of education, as it is represented in the various Reports from the several Districts of this extensive Colony.

*Summary Table of District (Grammar) and Common Schools.*

Number of Scholars at District (Grammar) Schools.	Number of Common Schools.	Number of Scholars at Common Schools.	Average Common School annual salary paid.
372	401	10,712	£7.11.3 $\frac{1}{2}$

Remarks appended to the foregoing Report by the Reverend Doctor Strachan :—

The returns of the Common Schools for the Gore and Midland Districts have not been made for this year ; they are supplied from former years ; many schools continue in operation only six months, others eight months, in which other cases the Board is enabled to give to Teachers of these schools a greater salary than an equal division among their schools would allow.

Of the scholars attending the District (Grammar) Schools, it will be seen, from inspecting the Report, that in some places girls are admitted. This happens from the want of good female schools, and, perhaps, from the more rapid progress which children are supposed to make under experienced and able Schoolmasters. It is to be wished, however, that separate schools for the sexes were established, as the admission of female children interferes with the government which is required in classical seminaries ; it is, nevertheless, an inconvenience of a temporary nature, which will gradually pass away as the population increases in wealth and numbers.\*

There appears to be more than ten thousand in daily attendance in the Common Schools throughout the Province, which shows an increase over last year of nearly two thousand scholars. And, if we suppose that half as many more receive some benefit of education, through the year (as the children of the same family often go in rotation,) we shall have fifteen thousand receiving instruction in the course of the season.

Many schools are established by the people which do not share in the public bounty ; and Sunday Schools are increasing greatly in number, and if we suppose that five thousand children receive benefit from these Sunday Schools, we shall have an aggregate of twenty thousand children who are provided with some course of instruction at the various schools Public, Private and Sunday Schools throughout the Province.

That the provision in this scale is totally inadequate to the wants of the Colony is manifest from the consideration that, in a population of nearly two hundred thousand, at least one-fifth, or forty thousand, is composed of children, between the age of 5 and 15, who should be going to school ;—perhaps one-fourth, or 50,000, would be nearer the truth.

The appropriation made by the Provincial Legislature for Common Schools amounts only to £2,750 (\$11,000) per annum, or about five shillings for each scholar which attends school daily during that period.

Taking the number of those who are benefited at fifteen thousand (15,000), then the expense to the Province is about three shillings and nine pence for each pupil. But if this appropriation be averaged upon all the children in the Province capable of going to school, and probably amounting to forty or fifty thousand (50,000); it is scarcely one shilling for each pupil.

From the preceding table, it appears that, in some Districts, the salaries allowed to the Schoolmasters of the Common Schools are exceedingly small. In some, little more than five pounds each (£5, and, in one case, even less than that trifling sum. The average as shown in the Table is only £7.11.3 $\frac{1}{4}$  (\$30.27).

In other Districts the Board, it would appear, have granted a larger salary to each Teacher, and have, in consequence, established a smaller number of schools. It is, nevertheless, gratifying to know that the class of Schoolmasters has, in many Districts, much improved.

In the Home District, the greater number of those who came to be examined for Teachers' Certificates last June were so well qualified as to make it a matter of deep regret to the Board that persons so capable were so inadequately remunerated.

It must, at the same time, be admitted that the natural consequence of this state of things is that superior Teachers desert the Common Schools as soon as they can procure any other employment, and that many persons resort to the occupation of Teachers merely as a temporary expedient. These latter are without that experience which is all important to an instructor of youth ; and they can have little desire to establish a reputation in an employment to which they have only had recourse for present convenience. It is, therefore, manifest that before we can have able professional teachers greater encouragement must be given to those now employed than the system at present affords ; and it is most desirable that the people should be deeply impressed with this truth, in order that they may feel it to be their duty, as well as their interest, to give more attention to schools where the characters of their children are, in some measure, to be formed, and no longer indulge a disinclination to make adequate compensation for the services of skilful teachers. The business of education should be committed to the best talents in the country, but it is vain to expect that they can be procured for an income below that of common mechanics.

\*In this matter the Reverend Doctor Strachan's expectations were not realized, for in 1868, girls, by direction of the then Attorney-General, the Honourable John Sandfield Macdonald, (after a discussion in the House of Assembly,) were formally admitted as pupils of the Grammar Schools, and they have ever since been admitted as regular pupils of the High Schools and Collegiate Institutes of Ontario.



It is respectfully submitted, that the Law, by giving the same sum for each District, whether populous or not, affords to the inhabitants of the Province unequal benefit, and, in that particular, requires alteration. Thus, the Midland District, with a population of 30,000, and affording six or seven thousand children capable of attending school, receives the same appropriation with the Ottawa District, the population of which is scarcely one-tenth that of the other. In the Sister Colony of Nova Scotia, the sum of four thousand pounds (£4,000) in annually appropriated to the Common Schools, and divided among twelve Counties, not equally, but in proportion to the population. Thus, the County of Cape Breton receives more than double that of Halifax. In pursuance of the same object, it is further to be observed that, since upwards of twenty thousand (20,000) children appear totally without aid from the Provincial Revenue, and that the peace and happiness of the community, the preservation of our institutions, and of all that is valuable in society, depend upon the character of the people, and essentially upon their intelligence, there is no object of greater importance in Legislation, or possessing a more imperative claim upon the public revenue, than the establishment of schools for the public which must ever be the basis upon which the peace, good order and prosperity of society are to rest. The Provincial Board, therefore, would submit with all deference, that, in addition to the public allowance, even if increased beyond its present amount, a power should be given to the Townships to assess themselves for this special purpose. For such a measure precedents are not wanting, and, as the principles on which the present system of education established in the Province, and the connection between its different parts are in themselves excellent, all that is necessary to make it efficient is more liberal support, so that the blessings of education may be extended to all classes, and encouragement given to persons well qualified, of respectable character and exemplary conduct, to undertake the office of schoolmaster.

In Nova Scotia, it is in the School Statute, among other things, provided that two-thirds of the freeholders may, under certain forms and conditions, tax themselves, according to their ability, for the support of education, and that no school of thirty scholars shall be entitled to the stipulated aid of twenty pounds (£20) unless the teacher receives *bona fide*, from his employers, forty pounds, together with this sum, exclusive of, and, in addition to, his board and washing; and that no school of fifteen scholars shall be entitled to the stipulated sum of fifteen pounds (£15) from the public appropriation unless the teacher receives from his employers twenty-five pounds (£25) per annum as aforesaid. Thus, the income of the teacher would, in one case, be sixty pounds (£60) per annum, and in the other forty pounds (£40), not including board and lodging.

In one of the neighboring States, it is enacted that no Township, or school district, shall participate in the proceeds of the Education Fund, unless it raises, in the first place, a sum equal to that which is to be allowed, and power given to raise double that sum, if thought necessary, besides what may be required for building schoolhouses, for fuel and other appendages. In other places, no district appropriation is made by the Legislature, but the schools of each township are entirely supported by a local tax. The general principle is an assessment imposed upon themselves by the inhabitants of the townships; or school districts, which is more or less, according to the public aid awarded to each, while proper care is taken, by general boards and superintendents, to produce a uniformity of system among the schools, and to take care that the sums are appropriated exclusively to the purposes of education for which they were raised.\*

The Board has distributed among the several District Boards of Education, and through them to the Common Schools, a large quantity of useful school-books procured by the grants of the Legislature for 1825 and 1826, and it is with great satisfaction that they state that the Society for Promoting Christian Knowledge, being made aware of the wants of the Province, gave for £300 currency, or about £240 sterling, reckoning the loss in exchange, the amount of the appropriation for two years, books to the value at prime cost of £388 5s. 8d. sterling; by which liberality nearly double the supply expected, has during the last year, been in the course of distribution.

The appropriation for books for 1827, 1828 and this present year (1829) remains unexpended; but it will be the duty of the Board to lose no time in transmitting it for books to the same Society, as they doubt not but they shall experience a continuance of the same liberality.

The Board has also sent donations of Mavor's Spelling-books to the several Districts for the use of the Common Schools and they have contracted for two thousand (2,000) copies of this excellent work, to be executed on cards for the township schools throughout the Province; the expense of which will be defrayed from the resources committed to their care by His Majesty's Government. There appears to be a great scarcity of Arithmetic Books in the Province, and those in use are in general too difficult, or deficient in matter and arrangement; the President has, therefore, undertaken to draw up a short manual on the subject, suitable to the state and

\* The Reverend Doctor Strachan here pointed out the true principles of school support and management, but they did not receive legislative sanction in Upper Canada until 1850, nor fully so until 1870.

business of the country, with a key for the advantage of teachers, which, it is hoped, will be found beneficial and facilitate this useful study. (See page 45.)

The General Board of Education for the Province cannot close this Report without expressing the high gratification they feel in perceiving the warm interest which Your Excellency already takes in the promotion of Education throughout the Colony, and from which they anticipate the most beneficial results.

Neither the sick nor the destitute have higher claims upon the public than the ignorant. The want of knowledge brings all other wants in its train; and, if education be regarded as a charity, it is a charity of which the blessings are without alloy. It demands no jealous scrutiny of the claims of its applicants, nor does it require to be so stinted as not to multiply their number. The obligations therefore, which rest upon every Christian Government to promote this great interest are sufficiently obvious and imposing. Nor is it enough that the children of settlers know how to read and cast accounts, they ought likewise to enjoy the pleasure as well as the advantages of intellectual employment. To understand and admire the beneficence of their Creator in the works of His hand, to feel that they are immortal and accountable beings, that Christian virtue is the first distinction among men, and that useful knowledge is the second.

All of which is humbly submitted by Your Excellency's most obedient humble servant,

JOHN STRACHAN,

President of the General Board of Education for Upper Canada.

YORK, 5th February, 1829.

*28th February, 1829.*—Agreeably to the Order of the Day, the St. Catharines (Grantham), Academy Bill was read the second time, and was referred to a Committee of the Whole House. Mr. William Buell, Junior, was called to the chair.

The House having resumed, Mr. Buell reported the Bill as amended by the Committee. The report was ordered to be received and the Bill to be engrossed and read a third time on Monday next.

*2nd March, 1829.*—Agreeably to the Order of the Day, the Grantham Academy Bill was read the third time.

Mr. William Woodruff, seconded by Dr. John J. Lefferty, moves the following as a rider—and be it further enacted, that it shall not be lawful for the said Corporation to hold stock for the purposes aforesaid, to a larger amount than five thousand pounds. Which was carried.

Mr. William Woodruff seconded by Dr. John J. Lefferty, moves that the rider be now read a second time, and that the forty-first rule of this House be dispensed with so far as relates to the same. Which was carried and the rider was read a second time, adopted, and ordered to be engrossed and read a third time this day.

Agreeably to the Order of the Day, the rider to the Grantham Academy Bill was read the third time, and the Bill was passed and signed by the Speaker.

Mr. William Woodruff seconded by Dr. John Lefferty, moves that the Bill be intitled:—"A Bill to Incorporate the Trustees of Grantham Academy." Which was carried, and Messieurs John J. Lefferty and William Woodruff were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and request their concurrence thereto.

*3rd March, 1829.*—Mr. James Wilson brought up the Petition of Mr. Thomas Appleton, Common School Teacher of the Town of York, which was laid on the Table.

*5th March, 1829.*—Agreeably to the Order of the Day, the Petition of Mr. Thomas Appleton, of the Town of York, Schoolmaster, praying that his Petition presented to the House of Assembly during its last session may be considered, and relief granted.

Mr. Secretary Mudge brought down from the Lieutenant-Governor, a Message, and having handed the same to the Speaker, retired. The Speaker then read the Message as follows:—

J. COLBORNE :

The Lieutenant-Governor transmits to the House of Assembly, the annual Report of the state of the Western District School. J. C.

GOVERNMENT HOUSE,

York, 5th March, 1829.

(NOTE.—This Report, and the Proceedings of the House of Assembly in regard to it, will be found in the records of the Session of 1830, further on.)

*7th March, 1829.*—Captain John Mathews, seconded by Mr. William Morris, moves that so much of the Journals of the last Session of the last Parliament, as relates to the Report of the Committee appointed to enquire into the case of Mr. Edward Thompson Philan, Common School Teacher, be now read, and that the 32nd Rule of this House be dispensed with, as far as relates to the same. Which was carried, and the Journals were read.



Captain John Mathews gives notice that he will, on Monday next, move for leave to bring a Bill for the relief of Mr. Edward Thompson Philan, Common School Teacher.

*9th March, 1829.*—Agreeably to notice, Captain John Mathews, seconded by Mr. William Morris, moves for leave to bring in a Bill for the relief of Edward Thompson Philan. Which was granted, and the Bill read, and ordered for a second reading to-morrow.

*12th March, 1829.*—Captain John Mathews brought up the Petition of Mr. Ira Schofield and others of the County of Middlesex, in the London District, praying for the removal of the District (Grammar) School to London, which was laid on the Table.

Mr. Thomas Dalton, Chairman of the Committee of Finance, presented a first Report, which was received and read as follows :—

#### REPORT OF SCHOOL PAYMENTS, BY THE COMMITTEE OF FINANCE.

Members of Committee, Messieurs Thomas Dalton, Chairman, William Morris, Hugh C. Thomson, William Lyon Mackenzie, Ambrose Blacklock, John Rolph and George Longley.

Particulars of moneys paid out of the Provincial funds for the year ending the 30th of June, 1828, as far as the accounts shew :

*District Schools.*—Amount remitted to District Treasurers for District (Grammar) Schools, £939 14s. 6d.

*Common Schools.*—Amount divided among eleven districts, £2,875 0s. 0d.

*District (Grammar) and Common Schools.*—£2,875 have been paid on account of Common School appropriations, and £939 14s. 6d. to District (Grammar) School teachers, during the past year.

Of the application of this money no satisfactory account has been laid before your Committee.

Complaints of partial conduct on the part of the persons to whom is delegated the trust of disposing of these moneys, have been made by teachers in some of the districts, which appear from the evidence on last year's Journal.

Your Committee would desire to see placed before the Legislature annually, the most minute details of the payments made out of this most important appropriation, along with the other public accounts.

While full and systematic details are withheld from their inspection, your Committee can only regret the circumstances which prevent a more useful investigation.

The appropriation of the same yearly sum (£250) to each District for the support of education therein, is not, perhaps, the best way of dividing the moneys.

The Midland District, with upwards of thirty thousand (30,000) inhabitants, ought not to be put upon a level with the Ottawa District containing only about three thousand (3,000) souls.

Perfect equality in the division of the money cannot be attained, but in the case above alluded to, the proportion of population is only as one to ten.

It may, perhaps, be deemed expedient to revise the present School Laws, but as the matter is now before a Select Committee, it is only necessary to add that the annual appropriation for common schools is £2,750. £1,100 are paid to eleven District (Grammar) School teachers, £100 each.

The District (Grammar) School system has not produced the beneficial effects anticipated by the public.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,  
YORK, March 8th, 1829.

THOMAS DALTON,  
Chairman.

*14th March, 1829.*—Agreeably to the Order of the Day, the Petition of Mr. Ira Schofield and one hundred and sixty-three (163) others, of the County of Middlesex, praying that the District (Grammar) School may be removed from Vittoria to London, was read.

*Monday, 16th March, 1829.*—Mr. William Buell, junior, from the Select Committee on Education, presented a Report, which was received and read, as follows :—

#### FIRST REPORT OF THE SELECT COMMITTEE ON EDUCATION.

*To the Honourable the Commons House of Assembly :*

Your Committee to whom was referred the present state of Education in this Province to report what changes may be expedient in the present system of District and Common Schools, and to consider and report upon the best and most practical means of opening to the youth of



this Province the means of receiving a liberal and extensive course of education, respectfully submit :

That they have taken as extensive a view of the subject as circumstances would permit. From the inspection of the returns of the District (Grammar) Schools, as stated below, connected with observation and information derived from various quarters, it appears to your Committee that those schools are, for the most part, very inefficient, and the advantages derived from them much inferior to what might have been expected from the amount of funds appropriated to their support. The causes of their inutility are principally these : the improper appointment of many of their Trustees, (they being selected, as would seem, more from a desire to favour particular religious views than to promote that generous liberality of feeling which is so essential to the well-being and peace of the inhabitants of a colony constituted as ours is) ; the improper selection of teachers, resulting from Boards constituted of such Trustees, many of the schools being apparently converted into stepping-stones to the Episcopal Church ; the neglect of the Trustees to inspect and report conscientiously on the state of the schools, and, in some instances, the high sums charged for tuition has operated as a barrier to the instruction of children of respectable individuals whose means were not equal to the payment of such charges. But the cause which operates most against these schools is to be found in the state of the country where there are comparatively few persons possessed of the means of sending their sons abroad for their education, from the difficulty of procuring cash to pay the charges, who could very well board them at home and afford a modest compensation to a teacher. Owing to this cause the District Schools, when properly conducted, have been, with a few exceptions only, beneficial to those who reside in their immediate neighbourhoods. The difference of accommodation between placing our youths at the District Schools or sending them a greater distance where a more extensive course of instruction may be had being so small that no protection is afforded them other than is to be derived from their own merits. Many young persons have in consequence received their education in the United States, where the charges for living and tuition are, for the most part, cheaper than in this Province.

The following is the state of the District (Grammar) Schools, so far as returns have been submitted to the Committee :

The Eleven Districts.	No. of Pupils.	In the Languages.	In English Grammar and Mathematics.	In Reading, Spelling, etc.	General Remarks.
Eastern .....	34	19	8	7	Not returned.
Ottawa .....	20	.....	7	13	
Bathurst .....	.....	.....	.....	.....	
Johnstown .....	17	11	6	.....	
Midland .....	44	25	10	9	The general average for different branches of education is taken in the Home and Gore Districts, as the numbers are not particularized in these schools. Part of the Gore School, as well as that of London, is composed of females.
Newcastle .....	30	5	13	2	
Home .....	31	15	16	.....	
Gore .....	33	10	12	1	
Niagara .....	29	19	10	.....	
London .....	29	2	18	9	
Western .....	24	2	12	10	
Total .....	281	108	112	61	

From the above it appears that there are altogether in ten Districts 281 pupils receiving instruction, of whom 108 are in the languages, 112 in English grammar and mathematics, and 61 in reading and spelling, etc. Of these about 25 are females. In one District only, the Gore School, does it appear that any attention has been paid to the provisions of the Act of 59th, George 3rd, Chapter 4, (page 148) for the education of 10 pupils in each school gratis.

Part of the exercises in the Home District School are of a religious nature, and confined to the doctrines of the Episcopal Church.

From these Reports which, no doubt, bear the most favourable construction which could be put on them by the Teachers, who are personally interested in swelling the numbers of their pupils, it appears that 108 only are instructed in the branches of education which could not be taught in the Common Schools, at an expense to the Province of £1,000, besides the sums paid for tuition by the parents and guardians of the pupils.

In noticing the Reports, your Committee would observe that there is a general return made up by the Honourable and Reverend Archdeacon Strachan, as President of the General Board of Education, and transmitted to the Assembly with the District returns. As your Committee know of no law of the Province authorizing such an office, they are at a loss to account for such an assumption, as well as the authority by which some of the District Reports are directed to that honourable gentleman in contradiction to the word of the Statute, which provides that they shall be made to the Lieutenant-Governor ; and your Committee cannot but consider the appropriation of £300 to a President of a General Board of Education through whose hands have passed those returns which ought, by law, to be furnished directly from the Boards to His Excellency, and, under whose management an undue prejudice in favour of a Church establishment is prominent, as the custom (sic) of a surplus office, and as a needless and wasteful application of the public money; and they recommend its future appropriation to the increase of the general school fund.

In making enquiry into the state of the Common Schools, your Committee have, for the most part, found them more efficient, in proportion to the funds expended on them, than the District Schools, yet they are not so useful as could be wished, owing to the want of a sufficient number of proper and capable Teachers. This evil seems to originate in the lack of encouragement to well qualified men, arising from the sum received by the Teachers in many parts of the Province, the Provincial allowance being, in some instances, reduced to a mere pittance. Add to this, the use which is generally made of it, to reduce the wages of a teacher in proportion rather than allow it to operate as a bounty to encourage such as are properly qualified to offer. For it is manifest that no person will engage in school teaching who can place his talents and education to better advantage in other pursuits. These remarks, however, are not intended to apply in all cases, as your Committee are happy to find that there are very valuable Teachers in some of the Schools which have been erected in neighbourhoods where the employers were disposed and felt the necessity of having such men among them, and consequently have made an adequate provision by adding to the Provincial bounty such further inducements as rendered it an object for good teachers to make a tender of their services.

The following is a summary statement of the Common Schools in Upper Canada, 1828 :

The Eleven Districts.	No. of Schools.	No. of Pupils.	Average sums paid Teachers per annum.	General Remarks.
			£ s. d.	
Western .....	25	597	10 0 0	
London .....	40	1,168	6 5 0	
Niagara .....	32	854	7 16 3	
Home .....	38	1,076	6 11 6	
Newcastle .....	22	600	11 7 0	
Johnstown .....	30	750	8 6 8	
Bathurst .....	40	999	5 19 0	
Ottawa .....	11	292	12 10 0	
Eastern .....	53	1,395	4 10 5	
Gore, and Midland .....				Not returned.
Total .....	291	7,731		

Agreeable to this statement, there are 291 Schools in which 7,731 pupils are taught at an expense to the Province of £2,250, (\$9,000) besides private allowance to the Teachers.

The difficulties of procuring proper school books likewise operate against the advancement of education in this Province ; the encouragement not being sufficient to induce men of capital to embark in the printing and publishing of elementary books on reasonable terms. The country is, therefore, necessarily in a great measure, dependent on the parent State, or the United States, for a supply, in either of which cases such barriers interpose as necessarily prevent persons living in remote parts from procuring them on terms adequate to their means.

Your Committee therefore suggests that a permanent Institution should be provided in some healthy and central situation, founded on liberal and proper principles, where the youth of the country could resort for instruction in the higher branches, free from sectarian influence, on terms equally low and advantageous with those offered by our neighbours. That the District Schools be abolished, and that the moneys now appropriated to the support of each school be divided and given to four schools in each district to operate as encouragement to superior teachers, whose qualifications should be specified ; the schools to be placed in the most central situations and under proper regulations, that the funds may not be misapplied. That the Common Schools be limited in each district, with a fixed allowance to the teachers, which allowance should only be given where a corresponding sum should be made up by the persons interested, as should also be the case with the four superior schools ; the whole to be under the superintendence of a Board of Trustees, of whom not more than one should be elected from any one township, who should have power to appoint the places where the schools shall be taught, examine the teachers and transact all necessary business pertaining to the schools. That encouragement be given to the publishing and circulating of elementary books in the Province, and in all branches of manufacture connected therewith.

All of which is respectfully submitted.

COMMITTEE ROOM, COMMONS HOUSE OF ASSEMBLY,  
March 10th, 1829.

WILLIAM BUELL, Junior,  
Chairman.

NOTE.—The comprehensive character of the Report of the President of the General Board of Education for Upper Canada (on pages 265-268) and of this Report renders it unnecessary to insert the Reports of the local Grammar and Common Schools, as they are generally statistical and very meagre.

19th March, 1829.—Mr. John Rolph, from the Select Committee on Education, reported that the Committee had agreed to report by an Address to His Excellency, whenever the House would be pleased to receive the same. The Report was received, the Address was read twice, concurred in, and ordered to be engrossed and read a third time this day.

Agreeably to the Order of the Day, the Address to His Excellency, the Lieutenant-Governor on the subject of Education, was read the third time and passed, and is as follows :—

*To His Excellency Sir John Colborne, K. C. B., Lieutenant-Governor of Upper Canada, etc. :*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly represent to Your Excellency that we have taken into consideration the important subject of Education, and have bestowed upon it as much attention as the pressure of public business and the delays usually incident to the first session of a Parliament, would permit.

We have directed the Officer of our House to furnish Your Excellency with a copy of the First Report made to our House upon the subject of Education, in which, we are happy to find, Your Excellency takes so deep an interest.

We trust that Your Excellency, regarding the importance of economy, will not continue the appropriation of three hundred pounds (£300) a year to a President of a General Board of Education,—a Board which can be of no use if the District Boards of Education are constituted of persons active, zealous and conscientious in the discharge of the duties appertaining to their appointment.

By the present law the District (Grammar) School Reports ought to be made directly to Your Excellency, by whom they are laid before the Legislature.

No systems are improved by being made more complicated ; and the objection acquires greater force from the consequent increase in the number of officers drawing upon the revenue devoted to Education, and from the diminished importance of the Local Boards of Education, whose activity and usefulness will vary with the respect following their independence and direct responsibility to Your Excellency.



From the Report to be furnished to Your Excellency, it will appear that this unity of system, as it has been termed, has already been employed to favour one, to the exclusion of other Christian Churches.

We shall, in our future attention to this subject, endeavor to amend the system of Common Schools; and, in the event, (which Your Excellency gives us reason to anticipate), of a "Royal Grammar School," of liberal principles being established, we shall consider the expediency of altering the present system of District (Grammar) Schools.

We are not prepared to express a wish to incorporate the proposed Institution with the University, or to confide the former to the care of persons superintending the latter, and we, therefore, wholly repose in Your Excellency to originate, organize and foster a "Royal Grammar School," which we wish to be called, "Colborne's College," upon the most liberal principles, under the most able masters, and deriving funds from the sources already mentioned by Your Excellency.

We are desirous annually to view a statement of the Institution, and we will in future sessions use every exertion, in conjunction with Your Excellency, to promote its interests and extend its usefulness.

Under the auspices of Your Excellency, we trust it will be conducted upon an economical plan, and be speedily put into operation.

We submit it wholly to Your Excellency's consideration, whether a more eligible place might not be selected for the institution than the Town of York.

MARSHALL S. BIDWELL.

Speaker.

COMMONS HOUSE OF ASSEMBLY,  
19th March, 1829.

Mr. John Rolph, seconded by Mr. Joseph N. Lockwood moves that Messieurs William Buell, junior, and Donald McDonald be a Committee to wait upon His Excellency, to know when he will be pleased to receive the Address of this House, and to present the same.

Mr. D'Arcy Boulton, the Master-in-Chancery brought down from the Honourable the Legislative Council the Bill intituled: "An Act to incorporate the Trustees of the Grantham Academy," to which the Honourable the Legislative Council had made some amendments, and to which they requested the concurrence of this House.

The amendments made by the Honourable the Legislative Council to the Bill intituled "An Act to Incorporate the Trustees of the Grantham Academy" were then read as follows:—

Press 3, line 12, after the word "land" insert "with the;" after the word "hereditaments" insert the words "thereunto appertaining."

Press 4, line 6, between the word "for" and the word "five" insert the word "every."

Press 4, line 11, expunge the word "other."

After the 4th clause insert: "and be it further enacted by the authority aforesaid, that no person who is not a natural born subject of His Majesty, or a subject naturalized by Act of British Parliament, or by an Act of the Legislature of this Province, shall be capable of being a teacher, master or assistant in the said academy."

After the first clause insert "And be it further enacted by the authority aforesaid, that the President of the General Board of Education for the time being shall have power and authority to visit the said Academy, once in each and every year, and to require to be laid before him, and the officers of the said academy are hereby directed to comply with such requisition, the rules, regulations and by-laws thereof, and also to furnish him with a correct report or statement of the number of the scholars in attendance, and of the different branches taught, and the books used in the said academy."

Provided always that nothing herein contained shall be construed to authorize the said President of the General Board of Education in any manner to interfere with the government or management of the said academy."

The Speaker having left the Chair, Mr. William Morris resumed the chair of the Committee.

The House having resumed, Mr. Morris reported the Bill without amendment. The report was ordered to be received.

Mr. Archibald McLean, seconded by Mr. William Morris, moves that the 41st rule of this House be dispensed with, so far as respects the said Bill, and that the same be engrossed and read a third time this day.

Mr. John Rolph, seconded by Mr. William Buell, junior, moves, that the amendments to the Bill intituled: "An Act to Incorporate the Trustees of the Grantham Academy," be read a second time this day three months, which was carried, *Nemine contradicente*.

(NOTE.—Thus, the Bill failed to pass.)

19th March, 1829.—Agreeably to the Order of the Day, the Bill for the relief of Mr. Edward Thompson Philan, Common School Teacher, was read for the second time and referred to a Committee of the Whole House. Mr. Jesse Ketchum was called to the chair.

The House having resumed, Mr. Ketchum reported the Bill without amendment. The report was ordered to be received.

Captain John Mathews, seconded by Mr. William Lyon Mackenzie, moves that the 41st Rule of this House be dispensed with as far as relates to the Philan Relief Bill, and that the same be engrossed and read a third time, this day. Which was carried.

Agreeable to the Order of the Day, the Bill for the relief of Mr. Edward Thompson Philan, Common School Teacher, was read the third time and passed.

Captain John Mathews, seconded by Mr. William Morris, moves that the title of the Bill be "An Act for the Relief of Edward Thompson Philan," which was carried; and Messieurs John Mathews and James Wilson were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

20th March, 1829.—Mr. William Buell, junior, from the Select Committee to carry up to His Excellency the Address of this House on the subject of Education, reported having done so, and that His Excellency had been pleased to make thereto the following answer:—

GENTLEMEN:

The Bills which are now before me for my assent, prevent my giving a due consideration to the subject of this Address at present, but I shall direct my attention to it during recess.

J. C.

GOVERNMENT HOUSE,

YORK, 20th of March, 1829.

20th March, 1829.—Mr. William Buell, junior, from the Select Committee on Education, informed the House that the Committee had agreed to several Resolutions which he was directed to submit for adoption to the House, whenever it would be pleased to receive the same. The Report was ordered to be received and the Resolutions were severally put and carried as follows:—

*Resolved*, That the thanks of this House are due to His Majesty for his gracious intentions in erecting and endowing a University in this Province.

*Resolved*, That much erroneous information has been communicated to His Majesty's Government upon that subject, under which mis-information this House apprehends the Character was granted, with provisions not suited to the condition and wishes of the people, for whose benefit it was intended.

*Resolved*, That it is inexpedient that the Governor, Lieutenant-Governor, or person administering the Government of this Province for the time being, should be Chancellor of the said University, because all such responsible situations should be filled by persons who are amenable to some tribunal for their public conduct.

*Resolved*, That the provision requiring the President of the said University to be a clergyman in holy orders of the United Church of England and Ireland, and to hold his office during pleasure is highly inexpedient, because, in the only seminary of general learning in the country, all collegiate offices and literary rewards should be conscientiously awarded according to moral and intellectual merit; should be enjoyed under no dependent tenure and should be held forth as incentives to all candidates for academic honours, without making such honours subservient to favoritism.

*Resolved*, That it is for the above reasons highly inexpedient, that the Archdeacon of York, for the time being, by virtue of his office, should be at all times President of the said University.

*Resolved*, That the provision requiring the President and the seven professors, constituting the College Council, to be members of the said Established United Church of England and Ireland, and to subscribe the Thirty-Nine Articles, is highly inexpedient.

*Resolved*, That the Chancellor, President, and Members of the Council, the Professors and other Teachers of the said University ought, after the organization of the same, to be elected by a Senate, composed of the Members of the Council and others, who have taken a degree in the said University above Bachelor of Arts, having their names on the books of the College, such election to be made from the graduates of the said University, or from the graduates of the Universities of England, Ireland, or Scotland, of sufficient standing in their respective Universities to be candidates for such office, or trust.

*Resolved*, That it would be expedient that the Chancellor elect of the said University should preside in a court, with powers, jurisdiction and proceedings, corresponding to those possessed by the Chancellor of the University of Cambridge in his court, so far as to enable him, assisted by the Chief Justice of the King's Bench for the time being, to hear, try, and determine any appeal to his court by any person whatever, suspended by any authority from his office in the said University.



*Resolved*, That it is inexpedient that the degree of Doctor of Divinity should be confined to those who subscribe to the Thirty-Nine Articles of the said Established and United Church of England and Ireland, but that it should be obtainable by all graduates, who, professing the Christian faith, shall, after due and impartial public examinations in the public schools of the said University, evince the classical, Biblical, and other learning and qualifications, proper to be acquired by candidates for such an honour.

*Resolved*, That it would be expedient if the teaching of Doctrinal Divinity were confined to the examination of the students, by questions put by the Professor out of the Bible, in the same manner as the classics in the University of Cambridge are examined upon, and taught any science out of standard authors, leaving discretionary latitude to the Professors, only in lecturing on Biblical Criticism, Theology, Evidences of Christianity, Sacred History, and whatever collateral branches of learning may be appointed for candidates for holy orders; by which means would be obviated the principal difficulties apprehended from the same professors being the instructors of students professing the faith of different denominations of Christians.

*Resolved*, That whatever in the said Charter in any degree gives a sectarian character to the said University, ought to be done wholly away.

*Resolved*, That, with the exception of the exclusive and sectarian principles, and unequal distribution of wealth, prevailing in the Universities of Cambridge and Oxford, it is highly expedient to follow their institutions and modes of instruction, making from time to time such modifications as experience may point out.

*Resolved*, That, without the patriotic, disinterested and impartial conduct in those to whose wisdom and management the infancy of this institution shall be confided; without a strict observance of economy in the whole system, without inducing from Great Britain and Ireland professors of acknowledged learning and worth, liberally paid, but not with that extravagance which would merge the rewards of honour in the sordid expectation of pecuniary gain, and without making grandeur of schemes and appearance yield to immediate practical and ostentatious utility, the university cannot gain public confidence or realize the gracious intentions of His Majesty.

*Resolved*, That this House trusts, that no hoped for modification of the present Charter will suspend the exertions of His Excellency to put into operation "Colborne College;" and, by the observance of those liberal principles which His Excellency has already been pleased to patronize and recommend, to open, with as little delay as possible, opportunities of education no way inferior to those contemplated by the proposed University.\*

Mr. John Rolph, seconded by Mr. Thomas Dalton, moves that an humble Address be presented to His Excellency the Lieutenant-Governor with the foregoing Resolutions of this House on the subject of the University Charter, and requesting His Excellency's attention to the same; and that Messieurs William Morris and William Warren Baldwin be a committee to draft and report the same, which was carried and ordered.

Mr. William Morris from the Select Committee just appointed, reported an Address accordingly, which was received, read twice, concurred in, and ordered for a third reading this day.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor on the subject of the University Charter was read the third time, passed and signed by the Speaker, and is as follows:—

*To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc. :*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request your Excellency's favourable attention to the resolutions accompanying this address; and we further humbly thank your Excellency for the interest your Excellency has manifested for the promotion of education in this Province, in a way suited to the wishes, feelings and genius of the people.

MARSHALL S. BIDWELL,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
20th March, 1829.

Mr. John Rolph, seconded by Mr. Thomas Hornor, moves that Messieurs William Buell, junior, and Robert Dickson be a Committee to wait upon His Excellency to learn when he will be pleased to receive the Address and Resolutions, and to present the same. Which was ordered.

\*These resolutions bear internal evidence of having been drafted by the Honourable John Rolph, who was himself a Member of the University of Cambridge, and the only one in the House of Assembly, therefore, who had any personal knowledge of English University affairs.



Mr. Dickson from the Select Committee appointed to present to His Excellency the Address of this House, with the Resolutions relative to the University, reported having done so, and that His Excellency had given thereto the following answer :

GENTLEMEN :

I thank you for this address and I shall not fail to give immediate attention to the Resolutions which accompany it.

The Bills which are now before me for my assent, prevent my giving a due consideration to the subject of this Address, and accompanying Resolutions, at present, but I shall direct my attention to it during the recess.

J. C.

GOVERNMENT HOUSE,  
YORK, 20th of March, 1829.

## 2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL IN 1829.

The Legislative Council met on the 8th of January, 1829, when the Honourable James Baby presented his Commission from the Lieutenant-Governor as Speaker of the Council.

On the 9th of January His Excellency Sir John Colborne opened the first session of the Tenth Parliament of Upper Canada with the usual Speech from the Throne, in which the passages relating to education are inserted on page 259.

The Members of the Legislative Council during this Session were the Honourable James Baby, Speaker; the Honourable and Venerable Archdeacon John Strachan; the Honourable Messieurs William Campbell, Chief Justice; William Dummer Powell, ex-Chief Justice, since 1825; John McGill, Thomas Clark, William Dickson, Neil McLean, George Crookshank, Angus McIntosh, Joseph Wells, Duncan Cameron, George H. Markland, John Henry Dunn, Thomas Ridout, William Allan, Peter Robinson, Charles Jones and James Gordon.

Of these nineteen members, six were absent during the session. The names of those who took part in the educational proceedings of the Council are not given in its Journal, as its mode of procedure did not require the names of the movers and seconders of the motions to be given.

The Members of the Council who were office holders during 1829 were the Honourables Messieurs James Baby, Inspector-General; William Campbell, Chief Justice; John Henry Dunn, Receiver-General; Thomas Ridout, Surveyor-General; Joseph Wells, Bursar of King's College; Duncan Cameron, Provincial Secretary; William Allan, Post Master, etc.\*

The Honourable John Henry Dunn was a native of England. He came to Canada in 1820, having been appointed Receiver-General of Upper Canada, and a

\*In reply to enquiries from Sir George Murray, Colonial Secretary, in regard to the Constitution of the Legislative Council, etc., Sir John Colborne, the Lieutenant-Governor, under date of the 16th of February, 1829, thus referred to this same Legislative Council, as then constituted :—"Composed as the Legislative Council is at present, the Province has a right to complain of the great influence of the Executive Government in it. The Legislative Council consists of seventeen Members, (exclusive of the Bishop of Quebec,) of these not more than fifteen ever attend their Legislative duties. Thus, out of the number generally present, six are of the Executive Council, and four hold office under the Government. It is exceedingly difficult to find persons qualified for it [the Council]. But if eight or ten more can be selected from different parts of the Province, and the majority be considered independent, there can be no good reason assigned for excluding the Executive Council."

member of the Executive and Legislative Councils. He held the office of Receiver-General until the union of the Provinces in 1841, and soon afterwards returned to England, where he died in 1854. He was a most estimable public officer. His son, Colonel Dunn, greatly distinguished himself during the Crimean War, and, on his visiting Canada soon afterwards, was received with great enthusiasm, and a handsome sword was presented to him.

*14th January, 1829.*—In the answer of the Legislative Council to the Speech of His Excellency the Lieutenant-Governor at the opening of the Legislature the following passages occur :—

Notwithstanding that Your Excellency considers the organization of the Public Schools susceptible of improvement, and hopes that measures will be adopted to reform the Royal Grammar School, and to incorporate it with the University recently endowed by His Majesty, and to introduce a system in that seminary that will open to the youth of the Province the means of receiving a liberal and extensive course of instruction, it is highly gratifying to learn that the advantages of education are generally increasing.

*19th January, 1829.*—The House met pursuant to adjournment. The Minutes were read.

A Message from His Excellency the Lieutenant-Governor was delivered by Mr. Secretary Mudge, who, being retired, the Speaker read the same, and it was again read by the Clerk as follows :—

J. COLBORNE :

The attention of His Majesty's Government having been attracted to the terms of the existing Charter of the University recently endowed by Royal munificence, and it appearing to the Lieutenant-Governor that some alteration may be made in them with advantage to the Province, he invites the Legislative Council to take the subject into their consideration, and suggests the expediency of connecting the Royal Grammar School with King's College, and of supporting it chiefly from the funds of this endowment.

The Archdeacon of York being constituted President of the College, by virtue of his office, (although the present incumbent is eminently qualified for that important appointment), appears to the Lieutenant-Governor an exceptionable part of the Charter, and he thinks that the Province would derive benefit from the Professors being declared eligible to the Council without the religious test specified ; and he is of opinion, also, that the details of the qualifications required for taking degrees should not be inserted in the Charter, but that it should be declared only that the students shall have the liberty of taking the Degrees of Bachelor, Master and Doctor in the several Arts and Faculties in the manner that may hereafter be directed by the Statutes and Ordinances framed by His Majesty's Government. The Lieutenant-Governor imagines that it is needless to expatiate on the absolute necessity of establishing in the Province as soon as possible a Seminary, at which the sons of its inhabitants may receive an education, under the tuition of able masters, that will render them fit for the University, or for any Profession.

The want of such a School is felt and acknowledged everywhere ; and he is fully persuaded that a College of this kind, co-operating with the senior King's College, would produce that which is most required in the Province : religion, knowledge and good taste.

J. C.

GOVERNMENT HOUSE,  
YORK, 19th January, 1829.

*22nd January, 1829.*—The House met pursuant to adjournment. The Minutes were read.

The Honourable Charles Jones gave notice that he will, on Monday next, move an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to cause to be laid before this House a copy of such Instructions as he may have received from His Majesty's Government relative to any alterations in the Charter of King's College.

*26th January, 1829.*—The House met pursuant to adjournment. Pursuant to the Order of the Day, the House was put into a Committee of the Whole on the Message from His Excellency the Lieutenant-Governor respecting the University of King's College. The Honourable Charles Jones took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Message into consideration, had made some progress therein, and asked leave to sit again on Monday next. Ordered, that the Report be received, and leave granted accordingly.

The Order of the Day for an Address to His Excellency the Lieutenant-Governor, praying that he will be pleased to be caused to be laid before this House a copy of such Instructions as he may have received from His Majesty's Government relative to any alterations in the Charter of King's College, being read, it was ordered that it be discharged, and that the same stand for Monday next.

*2nd February, 1829.*—The Minutes of Friday were read. Pursuant to the Order of the Day, the House went into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor, received on the 19th ultimo, respecting the Charter of King's College. The Honourable Charles Jones took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Message into consideration, had made some progress therein, and asked leave to sit again on Wednesday next. Ordered, that the Report be received, and leave granted accordingly.

Pursuant to notice, it was moved and seconded that it be

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant-Governor, requesting that he will be pleased to direct the proper officer to lay before this House copies of any Instructions or other communications which he may have received from His Majesty's Government relative to the Charter of King's College. The same being put, it was carried in the negative, and it was

*Ordered*, That the 19th Rule of this House be dispensed with in the present instance. And it was then moved and seconded that it be

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant-Governor, praying that he will be pleased to cause to be transmitted to this House copies of any Instructions, or other documents, which he may have received from His Majesty's Government relative to the Charter of King's College. The same being put, it was carried in the affirmative, and it was

*Ordered*, That Messieurs Thomas Clark and Charles Jones be appointed a Committee to present the said Address to His Excellency.

*4th February, 1829.*—The House met pursuant to adjournment. The Minutes were read.

The Honourable Thomas Clark, from the Committee appointed to present an Address to His Excellency the Lieutenant-Governor, praying that he will be pleased to cause to be transmitted to this House copies of any Instructions, or other documents, which he may have received from His Majesty's Government relative to the Charter of King's College, reported that they had done so, and that His Excellency was pleased to make the following reply :

GENTLEMEN :

Such extracts of Despatches from His Majesty's Government respecting the Charter of King's College as I am authorized to transmit to the Legislative Council shall be laid before them.

J. C.

GOVERNMENT HOUSE,  
YORK, 4th February, 1829.

The Order of the Day for the House to be put into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor, received on the 19th ultimo, respecting the University of King's College, being read, it was

*Ordered*, That it be discharged, and the same stand for Friday next.

*11th February, 1829.*—A Message from His Excellency the Lieutenant-Governor was delivered by Mr. Secretary Mudge, who, having retired, the Speaker read the same, and it was again read by the Clerk, as follows :

J. COLBORNE :

The Lieutenant-Governor informs the Legislative Council that the instructions of His Majesty's Government, having reference to the terms of the University Charter recently granted, and to the Petitions on that subject, cannot with propriety be separated from other topics which the Despatches from His Majesty's Government embrace.



The Lieutenant-Governor, therefore, acquaints the Legislative Council that the representations on the existing Charter have attracted the serious attention of His Majesty's Government, and that he is desired to bring the question before them; and he is assured that the opinions that may be expressed by the Legislative Council and House of Assembly will not fail to receive a prompt attention.

J. C.

GOVERNMENT HOUSE,  
YORK, 13th February, 1829.

The Order of the Day for the House to be put into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor of the 19th ultimo, respecting the University of King's College, being read, it was moved and seconded that the same be discharged. The question being put, it was carried in the negative.

16th February, 1829.—The House met pursuant to adjournment. The Minutes were read.

Pursuant to the Order of the Day, the House was again put into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor, received on the 19th ultimo, respecting the Charter of the University of King's College. The Honourable Charles Jones took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Message into consideration, had made some progress therein, and asked leave to sit again on Thursday next, which was granted.

20th February, 1829.—The House met pursuant to notice. Ordered that the Master-in-Chancery do go down to the House of Assembly and acquaint that House that the Legislative Council have adopted the Report of the Committee of Conference on the subject of increasing the Library of the two Houses of the Legislature.

Pursuant to the Order of the Day, the House was again put into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor, received on the 19th ultimo, on the subject of the Charter of the University of King's College. The Honourable Charles Jones took the chair.

A Message being announced, the Chairman left the chair, and the House formed. Mr. Secretary Mudge delivered it, and, having retired, it was read by the Speaker, and again by the Clerk, as follows:—

J. COLBORNE :

The Lieutenant-Governor transmits for the information of the Legislative Council a copy of a Report made to him by the President of the General Board of Education, together with copies of all Reports of the Trustees of the Public District Schools and of the District Boards of Education, which have been received.

J. C.

GOVERNMENT HOUSE,  
YORK, 20th February, 1829.

(NOTE.—This Report of the President of the General Board of Education for Upper Canada will be found *in extenso* on pages 265-268.)

The House was again put into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor, received on the 19th ultimo, on the subject of the Charter of the University of King's College. The Honourable Charles Jones took the chair.

After some time the House resumed, and Mr. Jones reported that the Committee had taken the Message into consideration, had made some progress therein, and recommended that it be referred to a Select Committee to report thereon, with power to send for persons and papers. Ordered, that the Report be received.

Ordered, That Messieurs Robert Dickson, Joseph Wells, George H. Markland, Peter Robinson and Charles Jones be appointed a Committee therefor.

2nd March, 1829.—A deputation from the Commons House of Assembly brought up a Bill intituled: "An Act to Incorporate the Trustees of the Grantham Academy," which was read, and it was ordered to be read a second time on Thursday next.

5th March, 1829.—The House met pursuant to adjournment. Pursuant to the Order of the Day, the Bill intituled: "An Act to Incorporate the Trustees of the Grantham Academy," was read a second time, and it was ordered, That the House be put into a Committee of the Whole to take the same into consideration. The Honourable William Allan took the chair.

A Message from the House of Commons with two Bills, being announced, the Chairman left the chair, and the House formed.

The House was again put into a Committee of the Whole on the Bill intituled: "An Act to Incorporate the Trustees of the Grantham Academy." The Honourable William Allan took the chair.

A Message from the House of Assembly with a Bill, being announced, the Chairman left the chair and the House formed.

The House was again put into a Committee of the Whole on the Bill intituled: "An Act to Incorporate the Trustees of the Grantham Academy." The Honourable William Allan took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again on Monday next. Ordered, That the Report be received, and leave granted accordingly.

A Message from His Excellency the Lieutenant-Governor being announced, the Chairman left the chair, and the House formed.

A Message from His Excellency the Lieutenant-Governor was delivered by Secretary Mudge, who being retired, the Speaker read the same, and it was again read by the Clerk as follows:—

J. COLBORNE :

The Lieutenant-Governor transmits to the Honourable the Legislative Council the Annual Report of the state of the Western District School.

J. C.

GOVERNMENT HOUSE,

YORK, 5th March, 1829.

(NOTE.—See note in regard to this Report on page 268.)

*9th March, 1829.*—Pursuant to the Order of the Day the House was put into Committee of the Whole on the Grantham Academy Trustee Incorporation Bill, the Honourable William Allan in the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again on Thursday next. Ordered, That the Report be received, and leave granted accordingly.

*12th March, 1829.*—The House met pursuant to adjournment. The Minutes were read.

Pursuant to the Order of the Day, the House was put into a Committee of the Whole on the Bill intituled: "An Act to Incorporate the Trustees of the Grantham Academy," the Honourable William Allan in the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the Bill into consideration, and had made some progress therein, and asked leave to sit again on Monday next. Ordered, That the Report be received, and leave granted accordingly.

*13th March, 1829.*—Ordered, That on account of the indisposition of the Honourable Robert Dickson, the Honourable Thomas Clark be substituted for him in the Select Committee on the Messages of His Excellency the Lieutenant-Governor, received on the 19th of January last, on the subject of the Charter of the University of King's College.

*14th March, 1829.*—The House met pursuant to adjournment. The Minutes were read.

Ordered, That an address be presented to His Excellency the Lieutenant-Governor, requesting that he will be pleased to permit the Clerk of the Executive Council and the Surveyor-General to attend the Select Committee of this House, to whom was referred His Excellency's Messages relative to the University of King's College, to give information in regard of lands granted for the University and for Schools in this Province; and also to give information relative to the surveys of the several townships which have been referred to a committee as requiring Legislative enactment to establish their true boundaries. Ordered, That Messieurs Joseph Wells and Charles Jones be appointed a Committee for that purpose.

*16th March, 1829.*—The House met pursuant to adjournment. The Minutes were read.

The Honourable Joseph Wells, from the committee appointed to present an Address to His Excellency the Lieutenant-Governor requesting that he will be pleased to permit the Clerk of the Executive Council and the Surveyor-General to attend the Select Committee of this House to whom was referred His Excellency's Messages relative to the University of King's College, to give information in regard of lands granted for the University and for Schools in this Province; and also to give information relative to the surveys of the several townships which

have been referred to a Committee as requiring Legislative enactment to establish their true boundaries, reported that they had done so, and that His Excellency was pleased to make the following reply :—

J. COLBORE :

HONOURABLE GENTLEMEN : I shall give directions to the acting Surveyor-General and the Clerk of the Executive Council to attend the Select Committee, and to afford every information in their power respecting the subjects mentioned in this Address.

J. C.

GOVERNMENT HOUSE,  
YORK, 16th March, 1829.

Pursuant to the Order of the Day the House was put into a Committee of the Whole on the Bill intituled : “ An Act to Incorporate the Trustees of the Grantham Academy,” the Honourable William Allan in the chair.

After some time the House resumed, and the Chairman reported that the Committee had made some amendments thereto, which he was ready to submit, when the House would be pleased to receive the same. Ordered, That the Report be received to-morrow.

17th March, 1829.—Pursuant to the Order of the Day, the Honourable William Allan, from the Committee of the Whole on the Bill intituled : “ An Act to Incorporate the Trustees of the Grantham Academy,” reported that they had taken the same into consideration, had made some amendments thereto, and recommended the said amendments to the adoption of the House. Ordered, That the Report be received.

The said amendments were then read by the Clerk as follows :—

Press 3, line 12.—After the word “ land ” insert “ with the.”

Press 3, line 12.—After the word “ hereditaments ” insert the words “ hereto appertaining.”

Press 4, line 6.—Between the word “ for ” and the word “ five ” insert the word “ every.”

Press 4, line 11.—Expunge the word “ other.”

After the fourth clause insert “ And be it further enacted by the authority aforesaid, that no person who is not a natural born subject of His Majesty, or a subject naturalized by Act of the British Parliament, or by an Act of the Legislature of this Province, shall be capable of being a Teacher or Master or Assistant in the said Academy.”

After the last clause insert “ That the President of the General Board of Education, for the time being, shall have power and authority to visit the said Academy once in each and every year, and to require to be laid before him, and the officers of the said Academy are hereby directed to comply with such requisition, the rules, regulations and by-laws thereof, and also to furnish him with a correct report or statement of the number of scholars in attendance, and of the different branches taught, and the books used in the said Academy. Provided always that nothing herein contained shall be construed to authorize the said President of the General Board of Education in any manner to interfere with the government or management of the said Academy ”

It was moved and seconded that the question of concurrence on the same be put to-morrow, and the question being put it was agreed to, and then it was Ordered, That the question of concurrence on each of the said amendments be put to-morrow.

18th March, 1829.—Pursuant to the Order of the Day, the question of concurrence was put on the foregoing amendments to the Bill intituled : “ An Act to Incorporate the Trustees of the Grantham Academy ”

The question of concurrence being put on the first amendment, it was carried in the affirmative.

The question of concurrence being put on the second amendment, it was carried in the affirmative.

The question of concurrence being put on the third amendment, it was carried in the affirmative.

The question of concurrence being put on the fourth amendment, it was carried in the affirmative.

The question of concurrence being put on the fifth amendment, it was carried in the negative.

Ordered, That the amendments be engrossed and that the Bill as amended be read a third time to-morrow.

19th March, 1829.—The House met pursuant to adjournment. The Minutes were read.

The Order of the Day for the third reading of the Bill as amended intituled : “ An Act to Incorporate the Trustees of the Grantham Academy,” being read, it was ordered, That the



House be now again put into a Committee of the Whole on the same. The House was again put into a Committee of the Whole on the Bill intituled : "An Act to Incorporate the Trustees of the Grantham Academy," the Honourable William Allan in the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, and had made further amendment thereto, which they recommended to the adoption of the House. Ordered, That the Report be received.

The said amendment was then read by the Clerk as follows :

After the last clause insert "And be it further enacted by the authority aforesaid, that the President of the General Board of Education, for the time being, shall have power and authority to visit the said Academy once in each and every year, and to require to be laid before him, and the officers of the said Academy are hereby directed to comply with such requisition, the rules, regulations and by-laws thereof, and also to furnish him with a correct report or statement of the number of scholars in attendance, and of the different branches taught and the books used in the said Academy. Provided always, that nothing herein contained shall be construed to authorize the said President of the General Board of Education in any manner to interfere with the government of the said Academy."

The question of concurrence being put on the said amendment, it was agreed to by the House, and it was ordered, That the 44th Rule of the House be dispensed with during the remainder of the session, and that the said amendment be engrossed and the Bill, as amended, be read a third time this day.

The Honourable George H. Markland, from the Select Committee, to whom was referred the Message of His Excellency the Lieutenant-Governor of the 19th of January last, respecting the Charter of the University of King's College, presented their report as follows :—

*To the Speaker of the Legislative Council :*

The Select Committee, to whom was referred the Message of His Excellency relative to the Charter of King's College, beg leave to report the following Resolutions :—

*Resolved*, That on examining the Charter of King's College, your Committee find by one of its provisions that the Arch-deacon of York is constituted, by virtue of his office, the President of the University.

Your Committee are of opinion that it would benefit the Institution to render this high situation less exclusive, and its interests would be sufficiently promoted by declaring that the President must necessarily be a Clergyman of the Church of England, in Holy Orders.

*Resolved*, That in order to place the Establishment on a more open and liberal footing, it is desirable that no test should be required from members of the Council.

*Resolved*, That in order to obtain a preparatory Seminary, it is expedient to connect the Royal Grammar School with the University, as a Minor College ; but in the infancy of the Establishment, before it has commenced the business of Education, they cannot recommend interfering with the Endowment granted by the Royal Bounty.

All of which is humbly submitted by Order of the Committee.

COMMITTEE ROOM, LEGISLATIVE COUNCIL CHAMBER,  
March 19th, 1829.

THOMAS CLARK,  
Chairman.

*Ordered*, That the Report be received, and that the House be put into a Committee of the Whole on the same this day.

Pursuant to Order, the House was put into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor, of the 19th January last, on the subject of the Charter of this University of King's College. The Honourable Duncan Cameron took the chair. On a question of order, the Chairman left the chair, and the House formed. His Honour, the Speaker, was called upon to decide whether the Honourable Joseph Wells was in order in reading his Speech. His Honour, the Speaker, decided that, having received the permission of the Committee, he was in order.

The House was again put into a Committee of the Whole on the Message of His Excellency.

After a time the House resumed, the Chairman reported that the Committee had taken the Report of the Select Committee on the Message of His Excellency into consideration, and recommended it to the adoption of the House. Ordered that the Report be received.

The question of concurrence being put on the first resolution, it was carried in the negative.

The question of concurrence being put on the second and third resolutions, they were carried in the affirmative.

Pursuant to the Order of the House, the Bill intituled "An Act to Incorporate the Trustees of the Grantham Academy," was read a third time, as amended, and the question being put whether this Bill, as amended, should pass, it was carried in the affirmative, whereupon the Speaker signed the amendments, and it was ordered that the Master-in-Chancery go down to the House of Assembly and acquaint that House that the Legislative Council have passed this Bill, with amendments, to which they desire the concurrence of the House of Assembly.

(NOTE.—The Amendments made to the Grantham Academy Trustee-Incorporation Bill by the Legislative Council were rejected by the House of Assembly on the 19th of March, 1829. [See page 273.]

A Message being announced the House formed. A deputation from the Commons House of Assembly brought up a Bill intituled: "An Act for the Relief of Edward Thomson Philan, a Common School Teacher," to which they requested the concurrence of this House and withdrew.

(NOTE.—This Bill was not considered, or proceeded with, by the Legislative Council, as it was only sent up from the House of Assembly at five o'clock of the day preceding the prorogation of the Legislature.)

20th March, 1829.—The House met pursuant to adjournment. The Minutes were read.

Ordered that the House be now again put into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor received on the 19th of January last, respecting the Charter of the University of King's College. The House was again put into a Committee of the Whole on the Message of His Excellency the Lieutenant-Governor received on the 19th January last, on the subject of the Charter of King's College, the Honourable Charles Jones in the chair.

After a time the House resumed, and the Chairman reported that the Committee had taken the said Message into consideration and had made some progress therein, and asked leave to sit again, which was granted.

Pursuant to order the House again went into Committee on the said Message, the Honourable Charles Jones in the chair.

After some time the House resumed, and the Chairman reported that the Committee had passed an Address to His Excellency the Lieutenant-Governor and recommend the same to the adoption of the House.

The said Address was then adopted by the House as follows:—

*To His Excellency the Lieutenant-Governor K.C.B., Lieutenant-Governor of Upper Canada, etc:*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's most dutiful and loyal subjects, the Legislative Council of the Province of Upper Canada in the Provincial Parliament assembled, respectfully beg leave to represent that they have given their serious consideration to your Excellency's communications respecting the Charter granted to King's College in this Province, and have adopted certain Resolutions which they beg leave to transmit for your Excellency's information.

JAMES BABY,  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
20th of March, 1829.

Ordered, that the Honourable Messieurs Joseph Wells and John Henry Dunn be a Committee to present the same.

The Honourable Joseph Wells from the said Committee reported that they had delivered the Address to His Excellency.

The Lieutenant-Governor, having directed that the Members of the Commons House of Assembly be summoned to the Legislative Council Chamber, assented to a number of Bills in His Majesty's name and closed the Session of the Legislature with a Speech from the Throne, in which he said:—

I cannot close this Session without expressing my regret that the people will derive no immediate advantage from your deliberations on two subjects of primary importance, improvement of public schools and the measures that should be adopted to ensure good roads and safe bridges throughout the Province.

## CHAPTER XLVIII.

## THE FOUNDING OF UPPER CANADA COLLEGE, 1829.

Nothing showed more distinctly the difference as Colonial Governors, between Sir Peregrine Maitland and his successor, Sir John Colborne, than the manner of their intercourse with, and treatment of, the popular branch of the Legislature.

It is more than likely that the attitude assumed by Sir Peregrine Maitland toward the House of Assembly, during the ten years of his administration, (as shown in his despatches, and the accompanying addresses from the Legislature), was distasteful to the Imperial Government. This may be gathered from the tenor of the Despatch from Sir George Murray, (Colonial Secretary, and a former acting Governor of Upper Canada) to Sir John Colborne, on his assuming the Lieutenant-Governorship of Upper Canada. That Despatch contained a more than implied censure on Sir Peregrine Maitland's administration of affairs, and an almost imperative direction, couched in diplomatic language, that the vexed questions of King's College Charter and the Clergy Reserves, then agitating Upper Canada should be definitely submitted to the Legislature for its consideration and judgment.

An example, drawn from the educational proceedings of both Governors will best illustrate their mode of dealing with the House of Assembly. I leave out of view the acts of the Legislative Council in this matter, because Sir Peregrine Maitland's proceedings were largely, if not wholly, influenced by prominent Members of that Body, who were also Members of his Executive Council. (See page 276.)

In 1820, without consulting the House of Assembly, and even without its knowledge, Sir Peregrine Maitland established at York the first of a number of elementary schools, which he designed to be put into operation in various places of Upper Canada. This was designated the National Church of England "Central School;" and for its support he appropriated part of the proceeds of the University endowment fund to the extent of about £300 sterling a year. The Home Government was slow to recognize this departure from constitutional practice, as understood in England, and did not give its consent to the project until three years after the "Central School" was put into operation. The action of Sir Peregrine Maitland and his Council in this matter was repudiated by the House of Assembly, and referred to it as an unwarrantable invasion of the right of that House to deal with and to appropriate the revenues of the Province. (See page 247.)

Sir John Colborne, no doubt aware of this unwise proceeding on the part of his predecessor, followed a very different line of policy in carrying out his educational project. Being desirous of establishing a superior classical school, on the model of the one which he had lately, as Governor there, resuscitated in the



Island of Guernsey,—the School of Queen Elizabeth, or “Elizabeth College,”—he submitted the matter first in general terms to the Legislature on its assembling, soon after his arrival in Upper Canada. He afterwards gave details. His proposition was a moderate one: to the effect that the then existing District Grammar School in the Town of York—which, although known as *The Old Blue School*, was, in the Public Accounts of 1827-28, designated as the “Royal Grammar School,”\* should be enlarged in its scope,—made the means of affording “a liberal and extensive course of instruction,” under “able Masters,” and “incorporated with the University recently endowed by His Majesty,” so as to prepare, as he said to the Legislature, “men of education and acquirements for the support of the laws, and of your free institutions.”

So frank an appeal to good sense and patriotism of Members of the Legislature had the effect desired by Sir John Colborne. Both Houses responded,—each in its own way—to this appeal. The Legislative Council response was partly an echo of the Governor’s speech; but it desired to know what were the Lieutenant-Governor’s “instructions” in the matter. The report of the House of Assembly was fuller, and more comprehensive, and it was followed up by a distinct resolution, proposed by Mr. (afterwards so well known as the Honourable) Dr. John Rolph, in which he referred to “the practicability of putting into early operation a College opening to the youth of this country the means of receiving a liberal and extensive course of instruction.”

Under all the circumstances of the case, and considering the feeling of the House of Assembly in regard to the Charter of King’s College, it is more than likely that Sir John Colborne hoped to solve, in the practical way which he proposed, the educational difficulties which had arisen in regard to the Charter.

The Charter, he knew, was unacceptable in the Province. This the Home Government also knew, but declined to modify it, on the ground that the Upper Canada Legislature was more competent to suggest the necessary changes in it, (which would take time to consider and make) than was the King’s Government.

Besides, the Lieutenant-Governor was aware that the endowment available was quite insufficient to maintain a University satisfactorily, and, therefore, its immediate establishment was impracticable. Whereas a “minor College,” as proposed, would meet the immediate wants of the country, and would, for the time, satisfy those in it who desired a University, pure and simple.

The educational feeling of the House of Assembly was not only favourable to the establishment of the proposed preparatory College, but was desirous of remedying the defects in the present system of Grammar and Common Schools. For this purpose a Committee of the House on Education was appointed. This

\* In a brief report of this School in the Appendix to the Journals of the House of Assembly for 1828, the Reverend Thomas Phillips, D.D., is stated to be “the Teacher of the Home District School at York, in the Province of Upper Canada, in conjunction with the Royal Grammar School, annexed thereto.” The number of pupils reported as “in the Royal Grammar and District School this day, the 13th March, 1828, 57.” What was the nature of this dual character of *The Old Blue School* does not appear. (See a reference to this royal title on page 228, *ante*.)

Committee brought in a comprehensive report, endorsing the proposal of establishing a "permanent institution," to be named "Colborne College," and making several important suggestions for the improvement and expansion of the Grammar and Common Schools of the Province. This Report was unanimously adopted by the House of Assembly, and was sent to the Lieutenant-Governor for his information. The way, was therefore, thus opened for the Governor to carry out his project; and he was sure of the support of the House of Assembly in doing so. The Legislative Council on the 19th of March, 1829, passed several resolutions to the effect that while it "concurred in the establishment of a preparatory seminary, it could not, before it has commenced the business of education, recommend interfering with the endowment granted by the Royal Bounty." The difference in the temper of both Houses on this question is strikingly exemplified in their attitude towards the Lieutenant-Governor. The House of Assembly was frank and outspoken in its intercourse with him. The Legislative Council, on the other hand, persistently urged the necessity of being informed of the Lieutenant-Governor's "instructions" from His Majesty's Government, on the subject, before they could definitely "recommend interfering with the endowment granted by the Royal Bounty." The Governor declined, (for the prudential reasons which he gave), to accede to the requests of the Council, and to inform it of the nature of his "instructions" in this matter. The Council, in return, declined to concur in the Upper Canada College Bill passed by the House of Assembly in 1830.

Sir John Colborne, the Lieutenant-Governor, prorogued the Legislature on the 20th of March, 1829. He immediately proceeded to give effect to his project of founding the "minor College," as an adjunct to the proposed University. On the 31st of the same month he addressed the following letter to the Reverend Doctor Jones, Vice-Chancellor of the University of Oxford, asking him to take steps to select a principal and masters for the proposed College at York. Sir John Colborne's letter was as follows\*:

MY DEAR SIR,—

I am about to impose on you, I am afraid, an unreasonable task, but, as I know you will agree with me in thinking, that there is no place in which education is required more to be encouraged than in Upper Canada, I trust that I may calculate on your assistance in establishing a Seminary, which is destined to supply the intended University with students.

I therefore will proceed in communicating my plan of obtaining, through your good offices, three Classical Masters and a Mathematical Master. We wish the gentlemen, that you may be able to enlist, forwarded to Upper Canada College before October next, if possible.

We shall call our College, The Upper Canada College. The Head Master shall be styled the Principal. The second master is now at York, and will not object to take the situation I have offered him.

The Principal will have a fixed salary at six hundred pounds (£600) sterling per annum. He will be provided with a home, allowed to take boarders, and will regulate the students of the whole school, which will consist of four Classical Masters, a Mathematical Master, two French Masters, two Writing Masters and a Drawing Master. On the reputation of the Principal the College will chiefly depend. Therefore much care will be required in selecting one whose name

\* am indebted to Mr. J. Ross Robertson, of the *Toronto Daily Telegram*, for this and other information in regard to Upper Canada College.

will give support to the institution. He must have taken a first class degree in classics and mathematics. As a generation may pass away in corresponding across the Atlantic. I and the Trustees of the College give you full power to select our Principal, and the two Classical Masters, and the Mathematical Master. But if you should not wish to be charged with the responsibility entirely, I beg you to have the goodness to consult Mr. Stocker, of the Guersey College, who has had, during three years, much experience in the selection of masters, and Mr. Charles Young, of Eton College.

Thus, probably, these gentlemen may have no objection to decide among the candidates that may offer. The two junior Classical Masters will receive £300 per annum for their fixed salaries, and will also have a house provided, and will be allowed to take boarders. The Mathematical Master will have the same advantages.

I must trouble you to have the following notice inserted in the Oxford and Cambridge newspapers :—

“The Headship of Upper Canada College being vacant, a Principal is required to carry into effect the system of education to be adopted at that institution. He must be a graduated member of one of the Universities, and possessed of high classical and mathematical knowledge. He will receive a fixed salary of £600 sterling per annum, and will be allowed to take boarders, and will be provided with a house for that purpose. Candidates for the appointment may make application to the Vice-Chancellor of the University of Oxford for further particulars.”

I am persuaded of your zeal in the cause, and reckon upon it to overcome all the difficulties that you may encounter in completing the cargo of Master for Upper Canada before next winter.

A Mathematical Master is required for the same College, and two Classical Masters. They will each receive a fixed salary of £300, and will be provided with a house and permitted to take boarders.

J. COLBORNE.

GOVERNMENT HOUSE,  
YORK, 31st of March, 1829.

#### RUSSELL SQUARE, THE SITE OF UPPER CANADA COLLEGE.

At a meeting of the General Board of Education for Upper Canada, held on the 4th of April, following, a copy of this letter was laid before the Board by the President, the Honourable and Reverend Doctor Strachan.

There were also present at the meeting, the Honourables Joseph Wells and George H. Markland, and John Beverley Robinson, Esquire. The question of the site of the proposed College was discussed at the Board, and it adjourned until the 30th of April, 1829. At that meeting the President reported that he had made known the opinion of the Board respecting the intended site of the College of Upper Canada, and that it seemed most expedient to him to place it at the west end of King Street; that His Excellency, however, still continued to prefer that part of the military reserve he had before fixed on, as it would create an additional demand on the funds to procure the other, and might cause delay.

At the meeting of the Board on the 27th May, 1829, the question of the site again came up. “In consequence of a notification from Mr. Markland that His Excellency, Sir John Colborne, was pleased to submit to the decision of the Board, ‘whether the site of the College of Upper Canada shall be upon Russell Square, or on a part of the military reserve near the wood yard,’ it was unanimously resolved that, in consideration of the increased convenience which will be afforded to the youth of the town, it is expedient to place the buildings for the College on some part of Russell Square, to be hereafter determined upon.”

The following advertisement, calling for building tenders for the College, appeared in *The Loyalist* of May 2nd, 1829 :—

“MINOR COLLEGE.—Sealed tenders for erecting a School House and four Dwelling Houses, (on Russell Square) will be received on the first Monday of June next. Plans, elevations and specifications may be seen after the 12th instant, on application to the Honourable George Markland, from whom further information will be received.

Editors throughout the Province are requested to insert this notice until the first Monday in June, and forward their accounts for the same to the Office of *The Loyalist*, York.

YORK, 1st May, 1829.”



In the Reverend Dr. Scadding's *Toronto of Old*, he thus describes the site chosen by Sir John Colborne for Upper Canada College :—

The building on King Street known as "Government House" was originally the private residence of Chief Justice Elmsley.

On the left, opposite Government House, was a very broken piece of ground, named after President Russell, and denominated "Russell Square," afterwards, through the instrumentality of Sir John Colborne, converted into a site for an educational institution.\*

#### ELIZABETH COLLEGE, GUERNSEY, THE MODEL OF UPPER CANADA COLLEGE.

The Reverend Doctor Scadding gives the following description of Elizabeth College, Guernsey, of which he points out that Upper Canada College is the transcript :—

Sir John Colborne, on his arrival in Upper Canada, was fresh from the Governorship of Guernsey, one of the Channel Islands. During his administration there he had revived a decayed Public School, at present known as Elizabeth College. Being of opinion that the new country, to which he had been transferred, was not ripe for a University on the scale contemplated in a Royal Charter which had been procured, he addressed himself to the establishment of an institution which should meet the immediate educational wants of the community.

Inasmuch as in the School which resulted—or "Minor College" as it was long popularly called—we have a transcript, more or less close, of the institution which Sir John Colborne had been so recently engaged in reviving, we add two or three particulars in regard to the latter, which we have, with some, a certain degree of interest, by virtue of the accidental, but evident, relation existing between the two institutions. From a paper in *Brayley's Graphic and Historical Illustrator*, (1834), we gather that Elizabeth College, Guernsey, was originally called the "School of Queen Elizabeth," as having been founded under Letters Patent from that Sovereign in 1563, to be a "Grammar School in which the youth of the Island (*juventus*) may be better instructed in good learning and virtue.

For more than two centuries the school proved of little public utility. Sir John Colborne appointed a Committee to investigate the circumstances connected with the school, and to ascertain the best mode of its future permanent efficiency and prosperity, without perverting the intention of the foundress. The end of all this was a new building, (figured in *Brayley*) at a cost of £14,754—the foundation stone of which was laid by Sir John Colborne in 1826. On the 20th of August, 1829, the revived institution was opened, with one hundred and twenty pupils. In the mean time Sir John Colborne had become Lieutenant-Governor of Upper Canada.

Another link of association between Guernsey and Upper Canada exists in the now familiar name of "Sarnia," which is the old classical name of Guernsey, given to a Township on the St. Clair River, by Sir John Colborne. (*Toronto of Old*, pages 91-93.)

\* In a petition to the Ontario House of Assembly, prepared by Mr. O. A. Howland, a Barrister in Toronto, and dated in March, 1894, he thus gives the history of Russell Square: He says: the said square was, in the year 1798, dedicated by the Crown as a public square upon the plan of the Town of York, as then laid out upon the Crown lands, and the name and designation of Russell Square appeared on the said plan upon the said square.

That in and by the same plan the lots surrounding the said square were described as fronting upon and bounded by posts planted upon the limits of the said Russell Square. The said plan was duly published as the plan of the second or westerly extension of the Town of York, and the said lots were granted and patented as so fronting on the said square; and the remaining lots shown upon the said plan were sold and granted according to the said plan and upon the faith thereof.

That after the publication of the said plan and the sale and granting of the lots laid out thereon, namely, in the year 1819, the Governor in Council caused the portion of the said square not required for streets to be patented to trustees under the name and designation of Russell Square upon trust to observe such directions, and to consent to and allow such dispositions as the Governor and Council should from time to time order or make, pursuant to the purposes for which the said Russell Square was so originally reserved.

That by direction of the Lieutenant-Governor and Council, pursuant to the said trust, and by and with the consent of the inhabitants of the said Town of York, in the year 1829, the buildings of the Royal Grammar School (known as Upper Canada College) were directed to be, and were placed on a part of the said Russell Square "for the greater convenience of the youth of the said Town of York," and the remainder of the said square has, by like consent, been used as a playground for the youth of the town, and as open ornamental grounds, maintained in connection therewith.

## ENDOWMENT OF UPPER CANADA COLLEGE, 1829-1838.

From an elaborate "Report of the Commissioners of Inquiry into the Affairs of King's College University and Upper Canada College," appointed by Lord Elgin, Governor-General, and Chancellor of the University, in 1848, the following statement of the original endowment of Upper Canada College is taken. The Commissioners were John Wetenhall, Esquire, then M.P. for Halton; Robert Easton Burns, Esquire, then County Judge of the Home District, and, in 1850, a Judge of the Court of Queen's Bench; Joseph Workman, Esquire, M.D., Chairman, in 1850, of the Public School Board, Toronto.\* The Report was not published until 1852. The following statement is printed on page 339 of that Report:—

The Government of Upper Canada College (founded in the year 1829), was, by an order of the Provincial Government, vested in a Board of Managers, designated the President, Directors and Trustees of Upper Canada College, until March, 1833, when it was transferred to the Council of King's College. The endowment bestowed upon Upper Canada College consisted of the following lands, viz:—

1st.—Block "A" known as "Russell Square," and containing nine acres, constituting the present site and grounds of the College, granted in 1829.

2nd.—20,000 acres of land in the Townships of Mosa, Ekfrid and Seymour, granted on December 16th, 1832.

3rd.—1,080 acres of land in the Township of York, granted July 4th, 1834.

4th.—42,188 " in various Townships, " May 16th, 1835.

63,268 acres.

5th.—Part of Block "D," in the Town of York (now City of Toronto), east of Church Street, and north of Newgate, (now Adelaide street), containing five and a quarter acres, divided into town lots, on the 28th of November, 1834.

The above total of 63,268 acres has, by exchanges of lands and re-surveys, been increased to 63,994½ acres. These lands were situate in various parts of Canada; in some Townships the quantity appears to have been large.

In addition to the above landed endowment, the College received an allowance from the Government of two hundred pounds sterling in 1830; this sum was increased on the first day of January, 1831, to five hundred pounds sterling per annum; and on the first of January, 1834, it was further increased to one thousand pound per annum to the first of July, 1838.

On the 27th June, 1830, the General Board of Education met and decided to offer for sale, the ground known as the College or School square, north of St. James Church, [Block "D," as above], in the centre of which stood The Old Blue School. The ground was laid out in lots, 26x90 feet, and on the 10th July the lots were sold to the highest bidders. The proceeds were applied to the payment of the cost of erecting the new College buildings.

## SIR GEORGE ARTHUR ON THE FOUNDING OF UPPER CANADA COLLEGE IN 1830.

In a Despatch written by Sir George Arthur, Lieutenant-Governor of Upper Canada, to the Marquis of Normanby, Colonial Secretary, dated the 8th of June, 1839, he thus referred to the proceedings of Sir John Colborne in founding and endowing Upper Canada College:—

Soon after Sir John Colborne assumed this Government, his attention became directed to the state of education in the Province; and, as the theme had long been a favorite one with him, he applied himself with vigour to the task of effecting such ameliorations in a defective system as was in his power.

\*Dr. Workman, a native of Lisburn, County of Antrim, was a citizen of Toronto from 1836 until the time of his death in April, 1894. He was then in his 89th year. When he came to Canada he settled in Montreal; and, at the time of his death, was the oldest living graduate of McGill College. He was one of the first Professors in the Honourable Dr. Rolph's Toronto School of Medicine. He was appointed Medical Superintendent of the Lunatic Asylum, Toronto, in 1853,—a post which he held for twenty-six years. He was quite an authority on mental diseases, and being an accomplished linguist, he translated from various foreign medical journals articles and papers on medical science. He was formerly a Member of the Toronto City Council, and was the first Chairman of the Public School Board.



After encountering much difficulty, his zeal and perseverance were rewarded by the establishment of the Institution known as "Upper Canada College"; and which, as a seminary, answering in its model to superior Grammar Schools in England, has conferred, and continues to confer, inestimable benefit upon the country; although its establishment in the capital has given use to local jealousies; and opinions are entertained that the benefits of the Seminary ought in justice to have been distributed by the improvement of the country schools at its expense.

This institution superseded the endowed "Royal Grammar School,"—which was also a District (Grammar) School—that had previously existed in Toronto; and the proceeds arising from the sale of the land whereon the one had stood, partly contributed to defray the expense of erecting the buildings requisite for the other.

Sir John Colborne assigned, with the after approbation of His Majesty's Government, a very eligible location at the west end of Toronto, as the site of this new College, and endowed it with some town lands. About 60,000 acres were also granted to it as a further endowment, from the residue of the general school lands. (Page 51, Part iii., of the Correspondence relative to the Affairs of Canada, 1840.)

#### OPENING OF UPPER CANADA COLLEGE IN 1830.—ITS FIRST MASTERS.

After the site for the new College on Russell Square had been selected, it was resolved that the College and buildings should be placed on a line with King street, one hundred and thirty-two feet from the street, and, with this idea, the foundations were laid, the period for the completion of the College being considered the 1st January, 1830, and for the dwelling houses 1st September, 1830.

The District School House had, in the meantime, been moved, repainted, and improved, and fitted up for the accommodation of the "Minor College," pending the completion of the new edifice. The third week in December saw the furniture of the College in position in the old District School House, and, on the 17th December, 1829, the *Upper Canada Gazette* contained the following announcement:—

"UPPER CANADA COLLEGE ESTABLISHED AT YORK. Visitor, the Lieutenant-Governor for the time being. This College will open after the approaching Christmas vacation on Monday, the 8th January, 1830, under the conduct of the Masters appointed at Oxford, by Vice-Chancellor Jones and other electors in July last. Principal, the Reverend J. H. Harris, D.D., late Fellow of Clare Hall, Cambridge. Classical Department—Vice-Principal, the Reverend T. Phillips, D.D., of Queen's College, Cambridge, late Head Master of the Home District School; First Classical Master, the Reverend Chas. Matthews, M.A., of Pembroke Hall, Cambridge; Second Classical Master, the Reverend W. Boulton B.A., of Queen's College, Oxford. Mathematical Department—The Reverend Charles Dade, M.A., Fellow of Caius College, Cambridge, and late Mathematical Master at Elizabeth College. French—Mr. J. P. de la Haye, for some time employed at the College of Louis le Grand, at Paris and at Vincennes, a native of France, and an experienced instructor. English, Writing and Arithmetic—Mr. George Anthony Barber and Mr. (afterwards the Reverend) James Padfield. Drawing Master—Mr. Drury, an eminent artist. (Then follow terms, etc.) Signed: G. H. Markland, Secretary to the Board of Education. York, Upper Canada, December 2nd, 1829."

The Contractor for the new College had, however, undertaken a work that he could not accomplish, and, accordingly, the work was taken out of his hands and finished under the superintendence of officials appointed by the Governor.

The College classes were in the meantime carried on, until 1831, in *The Old Blue School*, which had been refitted. When the new buildings were completed, the entire staff was removed, with the pupils, to the new and handsome pile on King street west. The old Grammar School was then closed. It was again occupied for Grammar School purposes, for the east end of Toronto, in 1836, under Mr. Charles N. B. Cosens, who was appointed Head Master, and who was succeeded, in 1838, by Mr. Marcus C. Crombie, when Mr. Cosens received an appointment as Resident Master of Upper Canada College Boarding House.



## CHAPTER XLIX.

## EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1830.

With the Session of the Legislature in 1830, there opened up a new era in the educational and other practical affairs of Upper Canada. The friendly attitude of the new Lieutenant-Governor inspired the members of the House of Assembly with a desire to be equally frank with His Excellency, and to give a more diligent attention than hitherto to matters relating to education. Of this they assured the Lieutenant-Governor; and, as an earnest of their sincerity in this matter, called his attention to what they had already done as a preliminary step in this direction, during the preceding Session of the House.

The establishment of Upper Canada College tended to moderate the desire which had been felt in certain quarters for the establishment of a University. The general feeling, as represented by the House of Assembly, was, that this "Minor College," with its highly qualified Masters, supplied a want long felt for such a superior education as would fit young men for the learned professions and for important business undertakings. It would also put a stop to the "exodus" of these young men to the Colleges of the United States for that education which Upper Canada College, when in operation, was destined to afford.\*

That a University was not an immediate necessity in Upper Canada while the state of education in the Province was in so unsatisfactory a state, was a fact to which the opening Speech of the Lieutenant-Governor called the attention of the Legislature. In response to this part of Sir John Colborne's Speech, the House of Assembly stated that: "While willing to support a College for instruction in the professions, and in the higher branches of science, we feel it to be a primary, and more imperative, duty to provide for the general extension of the means of education among the people in every Township."

The Legislative Council, on the other hand, made no response at the time to His Excellency's remarks in regard to Upper Canada College, or to education generally. No doubt this silence, on the part of the Legislative Council, was due to the fact that the Lieutenant-Governor had declined to accede to the earnest

\*In his "Appeal" on behalf of a University in Upper Canada, issued by the Reverend Doctor Strachan in England, in 1827, he dwelt on this point at some length. In the course of his remarks he said:—"There are, it is believed, at present between forty and fifty young gentlemen in the Province studying the profession of the law, a profession which must in a country like this, be the repository of the highest talents.

There is not in either Province any English seminary above the rank of a good school at which a liberal education can be obtained. Thus the youth of three hundred thousand Englishmen have no opportunity of receiving instruction within the Canadas in Law, Medicine or Divinity.

"The consequence is that many young men coming forward to the learned professions are obliged to look beyond the Province for the last two or three years of their education, undoubtedly the most important and critical period of their whole lives. Very few are able, on account of the great expense, to proceed to England or Scotland, and the distance is so great and the difficulties so many that parental anxiety reluctantly trusts children so far from its observation and control. The youth are, therefore, in some degree, compelled to look towards the United States, where the means of education, though of a description far inferior to those of Great Britain, are yet superior to anything within the Province, and a growing necessity is arising of sending them to finish their education in that country." (See pages 216, 217.)

request of the Council to furnish its Members with a copy of the Imperial "instructions" which he had received in regard to King's College and its Charter. They evidently felt that, as His Excellency had refused to take this higher branch of the Legislature into his confidence on a subject in which it had specially taken so deep an interest, and one of its leading Members an active, personal part, they would be equally reticent on the very subject which had hitherto engrossed their attention, and which he had now brought officially before them. In the end better counsels prevailed, as will be seen by the proceedings of the Legislative Council on the 27th of February, 1830.

On the 8th of January, 1830, Sir John Colborne, the Lieutenant-Governor, opened the second session of the Tenth Parliament of Upper Canada with a Speech from the Throne, in which he said:—

The necessity of reforming the Royal Grammar School, was evident from your Report at the close of the last Session.

In establishing a College at York, under the guidance of able Masters, the object which we have in view, will I trust, be speedily attained.

The delay that may take place in revising the Charter of the University; or in framing one suitable to the Province and to the intention of the endowment, must, in fact, under present circumstances, tend to the advancement of the Institution, as its use depended on the actual state of Education in this Province.

Dispersed as the population is, over an extensive territory, a general efficiency in the Common Schools cannot be expected; particularly whilst the salaries of the Masters will not admit of their devoting their whole time to their profession.

## 1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY, 1830.

Of the forty-five Members of the House of Assembly, the following took part in its educational proceedings during the session of 1830, viz:—Messieurs William Woodruff, John Rolph, Peter Perry, William Lyon Mackenzie, Stephen Randal, William Morris, Robert Radenurst, George Longley, John Cawthra, William Buell, junior, John Kilborn, George Brouse, Paul Peterson, Donald McDonald, John J. Lefferty, Robert Dickson, Peter Shaver, John A. Wilkinson, Charles Fothergill, Duncan McCall, George Hamilton, Jesse Ketchum, Robert Baldwin,\* Thomas Dalton, William Terry and Ambrose Blacklock (26.)

9th January, 1830.—Mr. William Woodruff gave notice that he will on Monday next, the 11th instant, move for leave to bring in a Bill to incorporate the Trustees of the Grantham Academy. (See Proceedings of the 15th instant.)

12th January, 1830.—Agreeably to the Order of the Day the House went into Committee of the Whole on His Excellency's Speech. Mr. John Rolph, seconded by Mr. Peter Perry, moved a series of Resolutions on the subject, which were read. The sixth and eighth Resolutions relating to Education were put and carried, *nomine contradicente*—thirty-one Members being present.

\*The Honourable Robert Baldwin took his seat in the House of Assembly for the first time this Session. He was elected for the Town of York, in place of The Honourable John Beverley Robinson, who had been appointed Chief Justice of Upper Canada, and Speaker of the Legislative Council.



13th January, 1830.—Agreeably to the Order of the Day, the Address in answer to His Excellency's Speech from the Throne at the opening of the present session, was read the third time, passed and signed by the Speaker. That part of it relating to Education is as follows :—

To His Excellency, Sir John Colborne, K. C. B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

\* \* \* \* \*  
We do not doubt the necessity which existed, upon the accession of Your Excellency to the Government, for the reformation of the Royal Grammar School ; and we shall derive much gratification from the renewal of the inquiries we, last session, instituted into the state of education, upon finding that the reformation (of the Royal Grammar School) mentioned by Your Excellency is grounded upon those equal rights and liberal principles which we so earnestly pressed upon Your Excellency's attention.

Without the faithful observance of those equal rights and liberal principles as a foundation, and the stability of that foundation duly secured against the varying policy of different administrations, we cannot but regard such institutions as threatening to entail, under the appearance of some present good, those exclusive and dominant establishments which have perpetuated so much unhappiness in European nations, and the introduction of which into this country, the people are wisely most solicitous to avert.

We are glad to find that Your Excellency still anticipates a modification of the Charter of King's College, which, as at present constituted, is undeserving of public patronage, and likely to foment sectarian jealousies, and to prove equally injurious to the purity of our religion, and to the liberties of the people.

While we are willing to support a College for instruction in the professions, and in the higher branches of science, we feel it to be a primary and more imperative duty to provide for the general extension of the means of education among the people in every Township.

But we concur with the opinion expressed by Your Excellency, that dispersed, as the population is, over an extensive territory, a general efficiency in the Common Schools cannot be expected ; particularly while the public salaries of the Masters, and the small remuneration which their patrons, in the present condition of the country, can afford to give, will not admit of their devoting their whole time to their useful calling.

\* \* \* \* \*  
We respectfully refer Your Excellency to our Journals of last session, from which Your Excellency will find that we bestowed important consideration on the subject of education.

15th January, 1830.—Agreeably to the Order of the Day, The Petition of Mr. Chauncey Beadle and four others, of the Niagara District, praying to be incorporated as Trustees under the style and title of "The Incorporation of the Trustees of the Grantham Academy," with perpetual succession and a Common Seal, etc., was read.

Agreeably to notice, Mr. William Woodruff, seconded by Mr. Robert Randal, moves for leave to bring in a Bill founded on the Petition of Mr. Chauncey Beadle and others for the incorporation of the Grantham Academy. Which was granted, and the Bill read and ordered for a second reading to-morrow.

19th January, 1830.—Mr. William Morris brought up the Petition of the United Presbytery of Upper Canada, which was laid on the Table.

Mr. William Lyon Mackenzie, seconded by Mr. Peter Perry, moves that it be resolved that an humble Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to cause to be laid before the House a Statement of the sources of income set apart for the erection and support of the College, or University, now in progress, with the receipts therefrom accruing, and the expenditure ; also, a detailed statement of the number of acres of Crown and Clergy Reserves sold on behalf of the said Institution, particularizing the rates per acre obtained, and sums now outstanding, with a memorandum of all donations, gifts or grants made towards the said Institution ; also, an account of the appropriations, receipts and expenditure of the land set apart for the purposes of Education, commonly called the School Reserves, with the lots, town lots and timber thereto appertaining.

20th January, 1830.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor relative to revenue accounts, etc., of the University, etc., was read the third time and passed, *nemine contradicente*, and was signed by the Speaker, as follows :

To His Excellency Sir John Colborne, K. C. B., Lieutenant-Governor of Upper Canada, etc. :

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request Your Excellency to cause to be laid before this House a statement of the sources of income set apart for the erection and support of the College, or



University, now in progress, with the receipts therefrom accruing, and the expenditure ; also, a detailed statement of the number of acres of Crown and Clergy Reserves sold on behalf of the said Institution, particularizing the rates per acre obtained, and the sums now outstanding, with a memorandum of all donations, gifts or grants made towards the said Institution ; also, an account of the appropriation, receipts and expenditure of the land set apart for the purposes of education, commonly called School Reserves, with the lots, town lots, and timber thereto appertaining.

MARSHALL S. BIDWELL,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
20th January, 1830.

(NOTE. The College Council objected to give this information. See its communication to Sir John Colborne on the subject, Chapter L, No. 3, page 316,—also pages 264 and 289.)

Agreeably to the Order of the Day, the Grantham Academy Bill was read a second time, and referred to a Committee of the Whole House. Mr. George Longley was called to the chair.

The House having resumed, Mr. Longley reported the Bill as amended. The Report was received, and the Bill was ordered to be engrossed and read a third time on Friday next.

*January 21st, 1830.*—Agreeably to the Order of the Day, the Petition of the United Presbytery of Upper Canada, praying that they, and others in similar circumstances, may be enabled to provide for the education of the youth under their care, was read.

(See Proceedings of the House of Assembly on the 24th of February, 1830, page 298.)

*22nd January, 1830.*—Agreeably to the Order of the Day, the Grantham Academy Bill was read a third time and passed.

Mr. William Woodruff, seconded by Mr. Robert Randal, moves that the Bill be intitled : “An Act to Incorporate the Trustees of the Grantham Academy,” which was carried, and Messieurs William Woodruff and Robert Randal were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Mr. William Buell, junior, seconded by Mr. John Kilborn, moves that so much of His Excellency’s speech as respects education be referred to a Select Committee, with instructions to enquire into the state of education generally ; and that Messieurs Robert Baldwin, Peter Perry, George Rolph and James Lyons do compose said Committee, with power to send for persons and papers, and report by Bill, or otherwise, which was carried.

Mr. William Woodruff, from the Committee appointed by the Speaker to carry up to the Honourable the Legislative Council the Bill intitled “An Act to Incorporate the Trustees of the Grantham Academy ” and to request their concurrence thereto, reported having done so.

Mr. William Morris, seconded by Mr. Thomas Radenhurst, moved that the Petition of the United Presbytery of Upper Canada be referred to the Committee on Education, which was ordered.

(NOTE. This Petition will be found on page 298, and the Report on it, on page 307.)

*23rd January, 1830.*—Mr. John Cawthra, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address of this House, informed the House that His Excellency had been pleased to give the following answer :

GENTLEMEN :

The statement of the sources of income set apart for the support of the University and all the information required will be found in your Journals of the last session, except the receipts and expenditure for the year 1829, which shall be laid before you.

If the information applied for refers to the College lately opened, the only funds at present appropriated for its support are from the proceeds of the sale of lots of land set apart in York for the endowment of a Grammar School, the salary of the Master under whom the Royal Grammar School was placed, and the quarterage of Scholars ; but I shall use every exertion to induce His Majesty’s Government to endow liberally this Institution, which will, I hope, raise the standard of education in the Province and supply it with able instructors.

In the meantime the House of Assembly will see the expediency of protecting it.

GOVERNMENT HOUSE,  
YORK, 23rd of January, 1830.

J. C.

*1st February, 1830.*—The Speaker reported that the Master-in-Chancery had brought down from the Honourable the Legislative Council the Bill intituled : “An Act to Incorporate the Trustees of the Grantham Academy,” to which they requested the concurrence of this House.

The principal amendments made by the Honourable the Legislative Council in and to the Bill entitled : “An Act to Incorporate the Trustees of the Grantham Academy” were then read as follows, and ordered for a second reading to-morrow :—

Press 2, line 26.—After “vacancies” expunge “should” and insert “shall.”

Press 2, line 29.—After “appoint” insert “V.” “And be it further enacted by the authority aforesaid that no person not a natural born subject of His Majesty or a subject naturalized by Act of the British Parliament or by an Act of the Legislature of this Province, shall be capable of being chosen or appointed, after the passing of this Act, to be a Teacher of the said Academy.”

Press 3, line 14.—After “lawful” expunge “when or.”

Press 3, line 21.—After “stock” insert “property or effects.”

*2nd February, 1830.*—Mr. William Buell, junior, from the Select Committee on Education, informed the House that the Committee had agreed to two Addresses to His Excellency, which he was ready to submit whenever the House would be pleased to receive the same. The Report was received and an Address to His Excellency, requesting him to transmit to this House the several Reports of the Boards of Education, was read twice, adopted, and ordered to be engrossed and read a third time this day.

The Address for information relative to Upper Canada College, was read twice, adopted, and ordered for a third reading this day.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor requesting him to transmit to this House reports from the Boards of Education, was read the third time, passed and signed, and is as follows :

*To His Excellency Sir John Colborne, K. C. B., Lieutenant-Governor of Upper Canada, etc. :*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty’s dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to lay before this House the Reports of the different Boards of Education, in the several Districts of this Province.

MARSHALL S. BIDWELL,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
2nd February, 1830.

Mr. William Buell, junior, seconded by Mr. George Longley, moves that Messieurs John Kilborn and Peter Shaver be a Committee to wait upon His Excellency to know when he will be pleased to receive the foregoing Address, and to present the same. Which was ordered.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, requesting information on the subject of the Upper Canada College, was read the third time, passed and signed by the Speaker, and is as follows :

*To His Excellency Sir John Colborne, K. C. B., Lieutenant-Governor of Upper Canada, etc. :*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty’s dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request Your Excellency to lay before this House the particulars of the foundation of Upper Canada College, the manner in which the present Principal, Masters and Tutors were appointed, and in which they will hereafter be appointed upon vacancy, with all other particulars and details respecting the principles and economy of the Institution.

MARSHALL S. BIDWELL,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
2nd of February, 1830.

Mr. William Buell, junior, seconded by Mr. George Longley, moves that Messieurs George Brouse and Paul Peterson, be a Committee to wait on His Excellency to know when he will be pleased to receive the Address just passed, and present the same. Which was ordered.



*4th February, 1830.*—Mr. John Kilborn, from the Committee to wait on His Excellency the Lieutenant-Governor with the Address of this House on the subject of Reports from District Boards of Education, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN :

I will direct all the Reports of the District Board of Education that have been received to be laid before you immediately.

GOVERNMENT HOUSE,  
YORK, 4th February, 1830.

J. C.

Mr. George Brouse, from the Select Committee to wait upon His Excellency the Lieutenant-Governor with the Address of this House for information relative to the Upper Canada College, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN :

I cannot convey much more information on the subject of this Address than has been already laid before the House of Assembly.

It will, however, be satisfactory for the House to find, that nearly ninety scholars have been admitted into the College since the 4th of last month,—the day on which it opened ; and that many others are preparing to enter from different parts of the Province.

No doubt can, therefore, be entertained as to the necessity of fixing permanently in the Province a Seminary, accessible to all, where a liberal and extensive course of instruction can be obtained on moderate terms.

The Principal, and most of the Masters of the College, were elected at my request, by the Vice-Chancellor of Oxford, in conjunction with two electors of high reputation, with reference only to their erudition, academic honours, and experience.

To ensure the efficiency of the Upper Canada College, and a succession of men of abilities in every department, the Masters will receive a remuneration in proportion to the advancement and independence which they could obtain in the Parent State, from their acquirements and learning.

Before I leave the Province, I shall endeavour to procure for the Institution, such protection as may enable it to counteract the influence of local jealousies, or of ignorance, or vice, to which, in a new country, it may sometimes naturally be exposed.

The Chancellors of Oxford and Cambridge will be invited, with the sanction of the King, to elect Masters when they may be required, and to notify the vacancies that may occur in the College to those Universities.

The College will be placed under the special care of a Visitor, (the Lieutenant-Governor for the time being), and thirteen Trustees.

The Trustees will regulate the affairs of the College, and the financial concerns.

With this view, I have solicited His Majesty's Government to aid in providing for its immediate support, and to endow it liberally.

The Provincial Legislature should, I think, afford some assistance until it arrives at maturity, either by establishing Scholarships for the maintenance of pupils to be elected from the District (Grammar) Schools, or by appropriating an annual sum for the general expenditure.

The Principal will be responsible for the course of instruction followed at the College and for the discipline of the School.

Eight pounds per annum will be demanded for each scholar for his education.

Masters will be encouraged to take boarders.

The Masters will be chosen entirely on account of their qualifications, without regard to sect or profession.

GOVERNMENT HOUSE,  
YORK, 4th February, 1830.

J. C.

*5th February, 1830.*—Mr. Peter Perry, seconded by Mr. William Buell, junior, moves that His Excellency's reply to the Address of this House, on the subject of Upper Canada College, be referred to the Education Committee. Which was ordered.



*11th February, 1830.*—The Speaker reported that Mr. Secretary Mudge had brought down from His Excellency the Lieutenant-Governor several Messages and documents : Having retired, the Message relating to education was read by the Speaker, as follows :—

J. COLBORNE :

The Lieutenant-Governor, transmits to the House of Assembly copies of such of the annual Reports of District (Grammar) and Common Schools as have been received.

GOVERNMENT HOUSE,  
YORK, 11th February, 1830.

J. C.

*12th February, 1830.*—Mr. Secretary Mudge brought down from His Excellency, the Lieutenant-Governor, several Messages and documents. Having retired, the one relating to education was read as follows :

The Lieutenant-Governor transmits to the House of Assembly, a statement of the Receipts and Expenditure of moneys arising from School Reserves ; in compliance with the Address of the House.

GOVERNMENT HOUSE,  
YORK, 12th February, 1830.

J. C.

*17th February, 1830.*—Agreeably to the Order of the Day, the amendments made by the Honourable the Legislative Council, in and to the Bill intituled : “An Act to Incorporate the Trustees of the Grantham Academy,” were read the second time, and referred to a Committee of the Whole House. Mr. Donald McDonald was called to the chair.

The House having resumed, Mr. McDonald reported that the Committee had agreed to the amendments, without amendment. The Report was received, and the amendments were ordered to be read a third time to-morrow.

*18th February, 1830.*—Agreeably to the Order of the Day, the amendments made by the Honourable the Legislative Council, in and to the Bill intituled : “An Act to Incorporate the Trustees of the Grantham Academy,” were read the third time and passed, and were signed by the Speaker.

Messieurs William Woodruff and John J. Lefferty were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and inform that Honourable House that this House had agreed to the amendments made to the Bill by it.

*19th February, 1830.*—Mr. Buell, junior, from the Select Committee on Education, informed the House that the Committee had agreed to a third Report by Bill, a draft of which he was ready to submit whenever the House would please to receive the same. The Report was received, and the Education Bill was read the first time, and ordered for a second reading to-morrow.

Mr. Robert Dickson, seconded by Mr. Peter Shaver, moves that one hundred copies of the School Bill, as reported to this House by the Committee on Education, be printed for the use of the Members. Which was ordered.

*20th February, 1830.*—Dr. John J. Lefferty, from the Committee to carry up to the Honourable the Legislative Council the Bill intituled : “An Act to Incorporate the Trustees of the Grantham Academy,” with its amendments, concurred in by this House, reported having done so.

*22nd February, 1830.*—Mr. John A. Wilkinson gives notice, that he will on to-morrow, move that so much of the Journals of last session be read as relates to the report of the Trustees of the Western District (Grammar) School.

*23rd February, 1830.*—Agreeably to notice, Mr. John A. Wilkinson, seconded by Mr. George Hamilton moves, that that part of the Journals of last session be read, which relates to the Report of the Trustees of the Western District (Grammar) School. Which was carried, and the Journals were read accordingly.

Mr. John A. Wilkinson, seconded by Mr. Charles Fothergill, moves, that the Report of the Trustees of the Western District (Grammar) School of last session be referred to a Select Committee composed of Messieurs William Buell, junior, Robert Baldwin, George Hamilton, and John Willson, with power to send for persons and papers, and to report thereon. Which was ordered.

*24th February, 1830.*—Agreeably to the Order of the Day, the Education Bill was read the second time and referred to a Committee of the Whole House. Mr. Duncan McCall was called to the chair.

The House having resumed, Mr. McCall reported progress and asked leave to sit again this day three months.

On the question for receiving the Report, the House divided, and the Yeas and Nays being taken down, were as follows:

YEAS.—Messieurs Baby, Berczy, Bethune, Backlock, Dickson, Fraser, Hamilton, Henderson, Lefferty, Longley, McDonald, McLean, McMartin, Morris, Radenhurst, Samson, Thomson, Wilkinson, John Willson and Woodruff—20.

NAYS.—Messieurs Buell, Cawthra, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Lockwood, Lyons, McCall, Mackenzie, Malcolm, Perry, Peterson, Randal, George Rolph, John Rolph, Shaver and Smith—19.

The question was carried in the affirmative by a majority of one, the Report was received, and leave granted accordingly. (NOTE.—So this Education Bill was dropped.)

Mr. Jesse Ketchum, seconded by Mr. Peter Perry, moves that the Petition of the United Presbytery of Upper Canada, on the subject of education, be entered on the Journals of this House, on which the House divided, and the Yeas and Nays being taken down, were as follows:

YEAS.—Messieurs Backlock, Buell, Cawthra, Fothergill, Hamilton, Hopkins, Hornor, Ketchum, Lefferty, Lockwood, Lyons, McCall, Mackenzie, Malcolm, Morris, Perry, Petersor, Radenhurst, Randal, George Rolph, John Rolph, Shaver, Smith, Wilkinson and Woodruff—25.

NAYS.—Messieurs Baby, Berczy, Bethune, Dickson, Fraser, Henderson, Longley, McDonald, McLean, McMartin, Samson, Thomson and John Willson—13.

The question was carried in the affirmative by a majority of 12.

The Petition of the United Presbytery of Upper Canada, as entered on the Journals of the House of Assembly, was as follows:—

*To the Honourable the Commons House of Assembly of Upper Canada:*

The Petition of the United Presbytery of Upper Canada humbly sheweth:

That your Petitioners are deeply impressed with a sense of the beneficial influence of a virtuous and extensive system of education in promoting the good order, intelligence and happiness of society, and with the necessity of extending its advantages to all classes of the community.

From the manner in which your Petitioners, in their ministerial capacity, stands connected with a very large portion of His Majesty's subjects in this Province, they have the means of knowing, and it is with deep regret they are compelled to say that the state of education is, in general, in a deplorable condition.

Although, for many years, a liberal provision, has been made for the education of the youth in this Province, the benevolent designs of the Legislature have failed in effecting the object they had in view.

The appointment of Trustees from one communion alone has occasioned a jealousy in the minds of the people and destroyed that confidence which should ever be placed in the public institutions of our country.

It might have been expected that, as all classes of the community and all denominations of Christians have to bear the expenses of these institutions, the interests of all would have been consulted, and that persons of intelligence and education of all denominations would have been allowed to participate in their superintendence.

Your Petitioners, with deep regret, find that this is not the case; and that the Trustees of these institutions, which ought to be impartially managed for the benefit of all, have been almost exclusively appointed from one denomination of Christians, and, consequently, your Petitioners and their congregations, as well as others in similar circumstances, have been deprived of that benefit which they had a right to expect would have arisen from them.

Your Petitioners having numerous and large congregations under their superintendence, in which there are thousands of young people growing up in want of education, feel anxious that they should be provided with the means of instruction which would render them intelligent Christians, and useful members of society.

As these institutions are now managed your Petitioners have no alternative left but to apply to your Honourable House to afford them provision for other Schools to be placed under their superintendence, since they are not permitted to have any share in the appointment of Teachers or in the management of the District (Grammar) Schools now in existence.



May it therefore please your Honourable House to make such provision as in your wisdom may appear to be necessary, to enable your Petitioners, and others, in similar circumstances, to provide for the education of the youth under their care.

And your Petitioners, as in duty bound, will ever pray.

Signed by order and in the name of the Presbytery.

PRESCOTT,  
January, 1830.

WILLIAM BELL,  
Presbytery Clerk.

WILLIAM SMART,  
Moderator.

25th February, 1830.—Mr. Robert Baldwin, seconded by Mr. Robert Randal, moves that it be resolved, That a Message be sent to the Honourable the Legislative Council requesting permission for the Honourable James Baby, a Member of that House, to attend and give evidence before the Select Committee to whom has been referred the Report of the Trustees of the Western District School. Which was carried, and Messieurs Robert Baldwin and Robert Randal were ordered by the Speaker to carry up the Message to the Council.

Mr. Robert Baldwin, seconded by Mr. Robert Randal, moves that the name of Mr. John A. Wilkinson be struck off the list of the Committee on the Report of the Trustees of the Western District School, and the name of Mr. Peter Perry be added to the said Committee. Which was carried.

Friday, 26th February, 1830.—Mr. William Buell, junior, from the Select Committee on the subject of Education, informed the House, that the Committee had agreed to a Report by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. The Report was received, and the "Upper Canada College Bill" was read a first time and ordered for a second reading to-morrow.

Mr. William Buell, junior, seconded by Mr. Peter Shaver, moves, that the second reading of the Upper Canada College Bill be the first thing on the Order of the Day for to-morrow. On which the House divided, and the Yeas and Nays, being taken down were as follows :

YEAS.—Messieurs Buell, Cawthra, Dalton, Ewing, Fothergill, Hornor, Ketchum, Lefferty, Lockwood, McCall, Mackenzie, Malcolm, Randal, George Rolph, John Rolph, Shaver and Woodruff—17.

NAYS.—Messieurs Berezy, Bethune, Blacklock, Fraser, Henderson, Longley, McLean, McMartin, Morris, Radenhurst and John Willson—11.

The question was carried in the affirmative by a majority of six, and ordered accordingly.

Mr. Thomas Dalton gives notice, that he will, on to-morrow, move, for leave to bring in a Bill to promote education, (1) by preventing the holding of any description of public office of trust or emolument by persons who cannot read and write ; (2) also to prevent all persons born since the year 1825, from serving on Juries or voting at elections who cannot read and write ; (3) and also to prevent all persons born hereafter, from contracting marriage within this Province who cannot read and write, (4) and finally, to make public provision for the care, maintenance and education of destitute orphans.

25th February, 1830.—Dr. John J. Lefferty brought up the Petition of William Rees, of the Town of York, Surgeon, which was laid on the Table.

Agreeably to the Order of the Day, the Petition of William Rees, of the Town of York, Surgeon, praying that the old Parliament Buildings may be fitted up for certain scientific purposes was read.

Mr. Lefferty, seconded by Mr. Blacklock, moves that the Petition of William Rees be referred to the Committee of Supply which was carried.

1st March, 1830.—Agreeably to the Order of the Day, the Upper Canada College Bill was read a second time, and referred to a Committee of the Whole House. Mr. William Terry was called to the chair.

The House having resumed, Mr. Terry reported the Bill as amended. The Report was received, and the Bill was ordered to be engrossed and read a third time to-morrow.

2nd March, 1830.—Agreeably to the Order of the Day the Upper Canada College Bill was read a third time, and passed, *nemine contradicente*.

PRESENT.—Messieurs Blacklock, Robert Baldwin, Berezy, William Warren Baldwin, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Hamiton, Hopkins, Ketchum, Lefferty, Longley, McCall, Mackenzie, Malcolm, Perry, George Rolph, John Rolph, Shaver, Thomson, Wilkinson and Woodruff.

Mr. William Buell, junior, seconded by Mr. Peter Perry, moves, that the Bill be intituled : "An Act to Establish Upper Canada College." Which was carried, and Messieurs William Buell, junior, and Peter Perry were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.



6th March, 1830.—Mr. Robert Baldwin, from the Select Committee to whom was referred the Report of the Western District School, presented a Report which was received and read as follows :

*Report of the Select Committee to whom was referred the Report of the Trustees of the District (Grammar) School of the Western District for 1828.*

Committee : Messieurs Robert Baldwin, John Willson, George Hamilton, William Buell, junior, and Peter Perry.

*To the Honourable the Commons House of Assembly in Provincial Parliament Assembled :*

The Committee to whom was referred the Report of the Trustees of the District Grammar School of the Western District, for the year 1828, having considered the subject matter of the said Report, and examined every person within their reach, whom they were given to understand could afford any information thereupon, have agreed to the following report, which they beg leave most respectfully to submit to the consideration of your Honourable House :

Your Committee find in the Report of the Trustees, an implied, rather than a direct recommendation, that the school be removed from Sandwich to some other part of the District, and this recommendation the Trustees seem to found upon two grounds, the first of which is : "That the people in the vicinity of that Town are principally composed of worthy but illiterate farmers, who are unable to appreciate the advantages of a liberal education, and consequently unwilling to have their children taught anything more than the first elements of learning."

With respect to this point, your Committee find, that Sandwich and its neighbourhood is principally inhabited by Canadians of French extraction, but the evidence will not warrant them in attributing to that portion of their fellow subjects, an indifference to the education of their children : should, however, such indifference actually exist among them, your Committee think it a strong reason for placing the District (Grammar) School as near their doors as possible, that such indifference, may as soon as possible be overcome.

The second ground upon which the Trustees found their recommendation, is the unhealthiness of the Town of Sandwich, which they say is now nearly depopulated from that cause.

In considering this part of the subject, your Committee necessarily turned attention to the enquiry : "What other part of the District would be a proper place to fix upon for the District (Grammar) School, should it be removed from its present situation?"

It appears that an attempt was formerly made to have the School removed to Amherstburg ; such removal, however, your Committee, as at present advised, cannot recommend ; nor do they find that, from the evidence before them, they could satisfactorily name any other place in the District uniting so many advantages as the Town of Sandwich ; and they are far from finding that that town "is depopulated from the unhealthiness of its situation."

Your Committee, therefore, most respectfully submit it as their opinion, that the District (Grammar) School of the Western District be not removed from the Town of Sandwich.

All which is most respectfully submitted.

ROBERT BALDWIN,\*  
Chairman.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,  
YORK, 5th March, 1830.

The witnesses examined by the Committee were :

The Honourable James Baby, a Member of the Legislative Council.

Mr. John Gentle, late of Sandwich, now residing at York, Gentleman.

Peter McDougall, Esquire, Merchant, York.

Francis Baby, Esquire, Member of the House of Assembly, residing at Sandwich.

William McCormick, Esquire, residing near Amherstburg.

Thomas Hornor, Esquire, a Member of the House of Assembly, residing in the District of London.

John A. Wilkinson, Esquire, a Member of the House of Assembly, residing at Sandwich.

William Berczy, Esquire, a Member of the House of Assembly, residing at Amherstburg.

In addition, the Reverend William Johnson, formerly Master of the District (Grammar) School at Amherstburg, and now Master of the one at Sandwich, submitted to the Committee, through Mr. Wilkinson, a letter detailing his school experience in both places.

\* The subject of this report is not very important in itself, but the report is noteworthy as being the first of the late Honourable Robert Baldwin's parliamentary acts as Chairman of a Committee of the House of Assembly.

The report of Western District School for 1828, on which this report of the Committee of the House of Assembly is founded is as follows. It was signed by Messieurs Charles Eliot, W. Berczy, and James Gordon, Trustees :

The Trustees, in transmitting this Report, think it but justice to the Teacher to express their approbation of his conduct and capacity during the short time he has had the management of the school ; but they regret that his talents are, in a great measure, rendered unavailable from the unfortunate collocation of the school, which must ever, in their opinion, prevail against its usefulness as a classical seminary : First, because the people in its vicinity is principally composed of worthy but illiterate farmers who are unable to appreciate the advantages of a liberal education, and consequently unwilling to have their children taught anything more than the first elements of learning ; and secondly, the unhealthiness of the Town of Sandwich, where it is situated, which is now nearly depopulated from that cause, must ever prevent children being sent there from the more distant parts of the country. The present school is composed principally of very young children, learning the first rudiments of the English language, and among the five classical scholars there is but one at all advanced ; the rest have only commenced within six or eight months.

BILL, INTITULED : AN ACT TO ESTABLISH UPPER CANADA COLLEGE.\*

The following is a copy of Bill which unanimously passed the House of Assembly of Upper Canada on the 2nd of March, 1830, but which the Legislative Council did not pass (see page 305) :

WHEREAS, His Excellency, Sir John Colborne, Lieutenant-Governor of this Province, has been pleased to reform the Royal Grammar School and to establish a College at York, called, "Upper Canada College," under the guidance of able Masters, and

WHEREAS it would conduce very much to the happiness of this Province, and to the extension of true learning and piety in the same, were the privileges and capacity of the said institution enlarged and secured by legislative authority, so as to suit the wants and wishes of His Majesty's dutiful and loyal subjects within this Province.

Be it therefore enacted, etc., That the Seminary lately opened at York, by His Excellency Sir John Colborne, be, and the same is hereby erected and made a College, with the style and privileges of a College, as hereinafter provided, for the education and instruction of youth and students in Arts and Faculties, to continue forever, to be called "Upper Canada College."

2. And be it enacted, etc., That the Governor, Lieutenant-Governor or person administering the Government, for the time being, shall be the Visitor of the said College.

3. And be it enacted, etc., That there be, at all times, one President of the said College, and as many Professors, Tutors and Lecturers in the different Arts and Faculties within the College, as from time to time shall be deemed necessary or expedient, and as shall be appointed in the manner hereinafter provided.

4. And be it enacted, etc., That there shall be within the said College a Council, to be called and known by the name of "The Council of Upper Canada College," which Council shall consist of twelve persons, one half of the number of which persons shall be nominated by the Legislative Council, and the other half by the House of Assembly ; which persons so nominated shall be certified by the respective Houses to the Governor, Lieutenant-Governor, or person administering the Government for the time being, and shall hold their offices for four years from the day of such nomination, and thence until the next ensuing session of the Provincial Parliament, and no longer.

5. And be it enacted, etc., That, if any incumbent of the said Council shall die or shall be suspended, or removed from his said office, or shall, by reason of any mental or bodily infirmity, or by reason of his absence from the said Province, become incapable, for six calendar months or upwards, of attending the meetings of said Council, then and in every such case, a fit and proper person shall be appointed by the rest of the Council, subject to the approbation of the

\*In a pamphlet printed in London, England, in 1836, containing an account of the proceedings of a public meeting held at York, on the 10th of December, 1830, with copies of documents relating to a petition to the Imperial Parliament respecting the Clergy Reserves and the King's College in that Province, this Bill to establish Upper Canada College is reprinted with the following heading : "The following is the copy of a Bill which passed the House of Assembly in Upper Canada in 1830, *unanimously*, for the regulation of the Upper Canada College, which the Legislative Council did not pass—and sufficiently marks the opinion of that Assembly and of the people of that Province." (Pages 30—41.) The probable reason why it did not pass the Legislative Council is given on page 305.



Chancellor of the said College, to act and be as a Member of the said Council in the place and stead of the member so dying, or so suspended, or removed, or incapacitated, as aforesaid, and the appointment of such new member of the said Council shall be communicated to the Provincial Legislature through the Governor, Lieutenant-Governor, or person administering the Government for the time being at their next session; and it shall be lawful for that branch of the Legislature by which the person dying or suspended, or removed, or incapacitated, as aforesaid, was appointed, either to confirm the said temporary appointment made by the Council aforesaid, or to appoint another, as such branch of the Legislature shall think fit.

6. And be it enacted, etc., That no meeting of the Council shall be or be held to be a lawful meeting thereof, unless nine members, at the least, be present during the whole of every such meeting and that all questions and resolutions proposed for the decision of such College Council shall be determined by the majority of the members of the Council present, including the vote of the Presiding Member; and, that in the event of an equal division of such votes, the Member presiding at any such meeting shall give an additional, or casting vote.

7. And be it enacted, etc., That any Member of the Council may, at any time, be suspended or removed by a joint resolution of the two branches of the Provincial Legislature.

8. And be it enacted, etc., that it shall and may be lawful for the said Council of the said College, from time to time, to nominate and elect so many Professors, Tutors and Lecturers in the several Arts, Sciences, and matters of learning, as shall to them seem fit and necessary for the system of education in the said College.

9. And be it enacted, etc., That the Chancellor, President, Professors, Tutors, Lecturers, Graduates, Under Graduates, Officers and Servants of the said College, and every person holding any situation of honour or trust in the same, shall be subject to all and every of the Rules and Ordinances of the said College, made and provided according to this Act.

10. And be it enacted, etc., That the said Council of the said College shall have power and authority to frame and make rules and ordinances touching and concerning the peace, welfare and good government of the said College, the studies, lectures, exercises and degrees in Arts and Faculties and all matters regarding the same, the duties of the President of said College; the number, remuneration and duties of the Professors, Tutors and Lecturers thereof; the management of the revenues and property of the said College; the salaries, stipends, provision, and emoluments of and for, the President, Professors, Tutors, Lecturers, Scholars, Officers and Servants thereof; the number and duties of such Officers and Servants, and also touching and containing any other matter or thing which to them shall seem good, fit, and useful, for the well being and advancement of the said College; and also, from time to time, by any new Rules or Ordinances to revoke, renew, augment or alter all, every or any of the said rules, as to them shall seem meet and expedient.

*Provided always*, That the said Rules and Ordinances or any of them shall not be repugnant to the laws and statutes of the said Province of Upper Canada or this Act; provided also that the said Rules and Ordinances shall be subject to the approbation of the Chancellor of the said College for the time being, and shall forthwith transmitted to the said Chancellor for that purpose.

11. And be it enacted, etc., That the said College shall be deemed and taken to be an University, and shall have and enjoy all such and the like privileges, as are enjoyed by the Universities of the United Kingdom of Great Britain and Ireland, and, as far as the same are capable of being had or enjoyed, by virtue of this Act. And that the students in the said College shall have liberty and faculty of taking the Degrees of Bachelor, Master and Doctor, in the several Arts and Faculties, at the appointed times; and shall have liberty within themselves of performing all scholastic exercises for the conferring of such Degrees, in such manner as shall be directed by the Rules and Ordinances of the said College.

12. And be it enacted, etc., That no religious test or qualification whatever shall be required of, or appointed for any persons admitted or matriculated as scholars within the said College, or of persons admitted to any Degree in any Art or Faculty therein, whether such degree be conferred in Law, Physic or Divinity or other Art or Science.

13. And be it enacted, etc., That the President, Professors, Tutors and Lecturers of the said College and all persons admitted therein to the Degree of Master of Arts, or to any Degree in Divinity, Law or Medicine, or other Art or Science, and who, from the time of such their admission to such degree shall pay the annual sum of twenty shillings lawful money of Upper Canada, for and towards the support and maintenance of the said College, shall be and be deemed, taken and reputed to be Members of the Convocation of the said University, and, as such members of the said Convocation, shall have, exercise and enjoy the right and privilege of electing a Chancellor of the said University, which Chancellor, upon such election, shall have, exercise and enjoy for the term of four years next after such election. such rights and powers as shall, from time to time, be conferred by any Rule or Ordinance made as aforesaid, under and by virtue of this Act.



*Provided always*, that from and after the passing of this Act, His Excellency, Sir John Colborne, the present Lieutenant-Governor of this Province, shall, during the continuance of his administration of the Government of this Province, or so long as he shall continue to reside within the same, be and continue to be, by virtue of this Act, Chancellor of the said University.

14. And be it enacted, etc., That the present Teachers (in what is now called Upper Canada College) shall, from and after the passing of this Act, hold their present situations, unless removed therefrom at any time hereafter, under the provisions of this Act.

15. And be it enacted, etc., That the Members of the said Council and their successors forever, shall be one distinct and separate body politic and corporate, in deed and in name, by the name and style of Upper Canada College, and that by the same name they shall have perpetual succession and a common seal, and that they and their successors shall, from time to time, have full power to alter, renew, or change such common seal at their will and pleasure, and as shall be found convenient. And that by the same name, they the said Council and their successors, from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain to and for the use of the said College, any messuages, lands, tenements, and hereditaments of what kind, nature or quality soever, situate and being within the said Province of Upper Canada, so that the same do not exceed in yearly value, the sum of £10,000 lawful money of Upper Canada, above all charges; and moreover, to take, purchase, acquire, have, hold, enjoy, receive, possess and retain all or any goods, chattels, charitable or other contributions, gifts or benefactions whatsoever, and that the said Council and their successors by the same name shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered, in all or any Court or Courts of Record within the said Province of Upper Canada, in all and singular actions, causes, pleas, writs, suits, matters and demands whatsoever, of what nature or kind soever, in as large, ample and beneficial a manner and form as any other body politic and corporate, or any other persons able and capable in law, may, or can sue, implead or answer, or be sued, impleaded or answered in any manner whatsoever.

16. And be it enacted, etc., That it shall and may be lawful for any denomination of Christians in this Province, to maintain at the said College, a Lecturer on Divinity, (upon making suitable provision, to the satisfaction of such Lecturer), for the benefits of students professing the faith of such denomination of Christians, which Lecturer so appointed and provided for, shall have liberty to lecture in the said University, upon Divinity, in the same manner and under the same regulations and restrictions as shall be provided for the guidance of Professors and Lecturers generally, in the said University, by any rules and ordinance made in that behalf.

17. And be it enacted, etc., That it shall and may be lawful for the Council of the said University to suspend from his office the President, or any of the Professors, Tutors or Lecturers or any member of the said Council, who shall be incapacitated by bodily infirmity; or for any just and reasonable cause to the said Council appearing, provided that the grounds of every such suspension shall be recorded in writing, and be verified on oath of two or more credible and disinterested witnesses, and be entered and recorded at length on the Journals of the said Council, and be signed by the President of the said Council.

18. And be it enacted, etc., That every person so suspended shall thereupon cease to be a Member of such Council, or President of the said University, or a Professor, Tutor or Lecturer within the same, as the case may be, unless, and until he shall be restored to and re-established in such his station therein, by any order to be made in the premises by a joint resolution of the Honourable the Legislative Council and the House of Assembly.

19. And be it enacted, etc., That it shall and may be lawful for the said Council of the said College from time to time, to establish Scholarships in the said College for the benefit of the pupils of the District Schools in this Province, provided that the amount of each Scholarship shall not exceed the annual value of £50 per annum, and provided also that such Scholarships shall be open to general competition for the pupils of all the District Schools in this Province, without reference to their profession of religious faith, and be awarded after a public and suitable examination in the Schools of the said College, to the best and most deserving of the said competitors without undue favour, which public examination shall be under the superintendence of the President of the said College and such learned men as he may call to his assistance, in the presence of the College Council and such of the public as shall attend.

20. And be it enacted, etc., That it shall and may be lawful for the said College Council and all other persons whatsoever attached to the said College, and they are hereby required at all times, without reserve, to lay before the several branches of the Legislature of this Province, whatever information shall be by them required relating in any way whatever to the said College and the concerns thereof.

21. And be it enacted, etc., That whenever any Rule or Rules, Ordinance or Ordinances shall be passed by the said Council as aforesaid, containing any provisions which shall in any

manner relate to, or effect the enjoyment or exercise by the Professors, Tutors, Lecturers, Scholars, Graduates, Undergraduates, Servants, or others whomsoever connected with the said College, of any religious form or mode of worship, or in any way whatever prevent or restrain them or any of them from attending on the Sabbath or other days, whatsoever place of worship they choose; or shall impose or create any penalties, burthen, disabilities or disqualifications; or confer any peculiar or exclusive favours or privileges in respect of the same, or shall, in any manner relate to or affect the observance of any rules or discipline appertaining to any Church or Society of Christians to which any of the aforesaid persons may belong, every such rule or rules, ordinance or ordinances, shall not have any force of effect whatever, till the same has been laid before the three branches of Provincial Legislature, and shall, after having been so laid before them or each of them for the space of ten days, receive the sanction thereof.

22. And be it enacted, etc., That it shall and may be lawful for the said Council, and they are hereby required to meet in the said College at York, at and for the periods following: namely, commencing on the first Monday in January, and on the second Monday in April, on the third Monday in June, and on the first Monday in November, in each and every year, and ending on the Saturday following; at which stated and periodical times, and at no others, it shall and may be lawful for the said Council to do, perform and execute all the duties and trust imposed by this Act, or by any Rule or Ordinance of the said College, made under and by virtue of this Act.

23. And be it enacted, etc., That it shall and may be lawful for each of the Members of the said Council, while in the active discharge of his said duties at the periods aforesaid, to have and receive from and out of the funds of the said College, the sum of ten shillings lawful money of Upper Canada, for every day's actual attendance, during the said weeks, and the like sum for every twenty miles in travelling to the said College and returning therefrom to his place of residence.

*Provided always*, That it shall not be lawful to claim or receive any such daily remuneration until the annual receipts and resources of the said College shall amount to £2,000 lawful money aforesaid.

24. And be it enacted, etc, That it shall and may be lawful for any Member of the said Council to tender his resignation during any Session of the Provincial Legislature, to that branch whereof by which he was nominated and appointed, and, upon the acceptance of such resignation, such person shall cease to be a Member of such Council, and it shall, thereupon, be lawful for the said branch of the Provincial Legislature, accepting such resignation, forthwith to nominate and appoint another person to be a Member of the said Council, in the place and stead of the person so resigning, as aforesaid.

25. And be it enacted, etc, That if any Professor, Tutor, Lecturer or other person elected by the said Council to any Professorship, Tutorship, Lecturership or other station in the said College, shall die in the interval between the periodical meetings of the said Council, limited by this Act, it shall and may be lawful for the various Professors, Tutors, and Lecturers who have been elected by the said Council, to appoint a fit and proper person to discharge the duties of the said Professor, Tutor, or Lecturer so deceased, until the next meeting of the said Council, and no longer.

26. And be it enacted, etc., That it shall and may be lawful for the said Council at their appointed meetings, and they are hereby required to keep at every such meeting a Journal of their proceedings, specifying the day and hours of assembling, the names of the Members of the Council in attendance, the resolutions and matters proposed, with the names of the Members voting for and against each resolution and matter, whether the same be rejected or adopted by the said Council, which record, or Journal, of the said proceedings of the said Council shall at all reasonable times be open at the said College to the inspection of the Visitor, Chancellor and other Members of the said College, and shall be laid before the several branches of the Provincial Legislature, whenever by them, or either of them, it is required so to do.

27. And be it enacted, etc., That no religious test or qualification whatever shall be required of any Chancellor, Professor, Tutor, Lecturer, Scholar, or other person, being a candidate for any situation in the said College; nor shall the eligibility of any person to any of the aforesaid stations in the said College, or to any other stations that may hereafter be created, be in any way or degree, dependent upon or regulated, affected or prejudiced, by the particular Christian faith of any such candidate.



## EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, 1830.

On the 8th of January, 1830, His Excellency Sir John Colborne, the Lieutenant-Governor, opened the second Session of the Tenth Parliament of Upper Canada with the usual Speech from the Throne. (See page 292).

The members of the Council present during its Sessions were the Honourable John Beverley Robinson, Chief Justice, and the newly appointed Speaker; the Honourable and Venerable Archdeacon Strachan; the Honourable Messieurs James Baby, William Dickson, William D. Powell (ex-Chief Justice), Joseph Wells, Duncan Cameron, George H. Markland, John H. Dunn, William Allan, Peter Robinson, John McGill, Charles Jones, George Crookshank and Sir William Campbell (ex-Chief Justice).

It will be noticed that at the opening of the Session the Legislative Council was very non-committal in its educational utterances, in response to the Lieutenant-Governor's opening speech. In fact, it would be difficult to ascertain from that response that the Governor had made any reference whatever to the proposed College, or to the projected University. As the Session progressed a better spirit prevailed; and the Reverend Doctor Strachan, true to his scholastic and educational instincts, broke the silence of the Council by proposing a comprehensive series of resolutions, highly appreciative of the energetic and practical proceedings of Sir John Colborne, in founding the "Minor" College, as the forerunner, and, in time, the great source of supply for the larger and more comprehensive Seminary yet to be established at the Capital of Upper Canada.

While the Legislative Council thus heartily endorsed the Lieutenant-Governor's action in founding Upper Canada College, it declined to entertain, or pass, the comprehensive Bill: "To Establish Upper Canada College," sent up to it by the House of Assembly. Upon examining the Bill, it was evidently found by the Members to be quite too comprehensive for the object aimed at, and its machinery too complicated for the purposes of a purely preparatory, or "Minor," College. The Bill was clearly not the kind of one intended to carry out the simple design of the Lieutenant-Governor to establish a preparatory College. No doubt the Bill was framed with a double purpose in view, viz.: (1) as a protest against the character of the King's College Charter; and (2) to put on record what the House of Assembly understood should be a non-exclusive and Provincial Institution. It was, however, a University Bill, pure and simple. It provided in the seventh section that the "College shall be deemed and taken to be an University, etc.," and it provided in other sections for a Chancellor, Professors, Tutors and all the usual officers of a University, and also for the taking of degrees in the several arts and faculties, etc. Such an hybrid institution was clearly not acceptable to the Council. Hence its Bill was rejected; and this rejection was commented on by the speakers at the public meeting held in York on the 10th of December, 1830. (See page 301.)



*8th January, 1830.*—Ordered, that an Address be presented to His Excellency the Lieutenant-Governor, in answer to his Speech at the opening of the Session.

Ordered, that the Honourable Messieurs Powell, Wells and the Honourable and Venerable the Archdeacon of York, be appointed a Committee to prepare such an Address.

*11th January, 1830.*—The Honourable and Venerable the Archdeacon of York, from the Select Committee appointed to prepare an Address to His Excellency the Lieutenant-Governor, in answer to his speech at the opening of the Session, reported a draft thereof, which was read a first time and referred to a Committee of the Whole. The Committee reported the draft without amendment. It was read a second time, and ordered to be read a third time to-morrow.

*12th January, 1830.*—Pursuant to the Order of the Day, the Address to His Excellency the Lieutenant-Governor was read a third time and passed. [The part of it evidently relating to the College Charter is as follows] :

It is gratifying, as well as interesting, for us to learn that the questions submitted to His Majesty's Government, whatever difficulties may have occurred in determining them, or in reconciling the respective interests with which they are connected, are passing through a diligent investigation, as it evinces the earnest desire of His Majesty that this portion of his Dominion should reap the full benefit of good laws and free institutions.

JOHN B. ROBINSON.  
Speaker.

LEGISLATIVE COUNCIL CHAMBER,  
YORK, 12th of January, 1830.

Ordered, that the Honourable Messieurs Wells and Allan be a Committee to wait on His Excellency the Lieutenant-Governor, to know when he will be pleased to receive the House with their Address. The Committee reported that His Excellency had appointed to-morrow at ten o'clock a. m. for that purpose.

*13th January, 1830.*—At the hour appointed the House proceeded to the Government House, and having returned, the Speaker reported that His Excellency had been pleased to receive their Address, and returned an answer thereto as follows :

HONOURABLE GENTLEMEN :

I return you my thanks for this Address.

GOVERNMENT HOUSE,  
YORK, 13th January, 1830.

J. C.

*20th January, 1830.*—The Honourable William Dickson brought up the Petition of the United Presbytery of Upper Canada, which was laid on the Table.

*22nd January, 1830.*—The Petition of the United Presbytery of Upper Canada, praying for an Act to be passed providing for the education of the Presbyterian youth in this Province, was read.

A deputation from the Commons House of Assembly brought up a Bill, intituled : "An Act to Incorporate the Trustees of the Grantham Academy," to which they requested the concurrence of this House, and withdrew.

The Bill intituled : "An Act to Incorporate the Trustees of the Grantham Academy" was read, and the same was ordered to be read a second time on Tuesday next.

*27th January, 1830.*—Pursuant to the Order of the Day, the Bill intituled : "An Act to Incorporate the Trustees of the Grantham Academy" was read a second time ; and it was ordered, that the House be put into a Committee of the Whole on the same to-morrow.

*28th January, 1830.*—Pursuant to the Order of the Day, the House was put into a Committee of the Whole on the Bill intituled : "An Act to Incorporate the Trustees of the Grantham Academy." The Honourable Charles Jones took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again to-morrow. Ordered, that the Report be received, and leave granted accordingly.

*29th January, 1830.*—Pursuant to the Order of the Day, the House was again put into a Committee of the Whole on the Bill intituled : "An Act to Incorporate the Trustees of the Grantham Academy." The Honourable William Allan took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again this day. Ordered, that the Report be received, and leave granted accordingly.

*30th January, 1830.*—Pursuant to the Order of the Day, the House was again put into a Committee of the Whole on the Bill intituled: "An Act to Incorporate the Trustees of the Grantham Academy." The Honourable Joseph Wells took the chair.

After some time the House resumed, and the Chairman reported, that the Committee had taken the said Bill into consideration, had made some amendments thereto, and recommended the same to the adoption of the House. Ordered, that the Report be received.

The said amendment was then read by the Clerk as follows :

Press 2, line 29.—After "appoint" insert "5. And be it further enacted by the authority aforesaid, That no person not a natural born subject of His Majesty, or a subject naturalized by Act of the British Parliament, or by an Act of the Legislature of this Province, shall be capable of being chosen or appointed, after the passing of this Act, to be a Teacher in the said Academy."

The said amendment being read a second time, and the question of concurrence being put, it was agreed to by the House, and it was ordered, that the amendment be engrossed, and the Bill, as amended, be read a third time on Monday next.

*1st February, 1830.*—Pursuant to the Order of the Day, the Bill intituled: "An Act to Incorporate the Trustees of the Grantham Academy," was, as amended, read a third time, and the question being put, whether this Bill as amended should pass, it was carried in the affirmative; whereupon the Speaker signed the amendments, and it was ordered that the Master-in-Chancery do go down to the Assembly, and acquaint that House that the Legislative Council have passed this Bill with amendments, to which they desire the concurrence of the Assembly.

*9th February, 1830.*—On motion made and seconded, it was ordered, that the Petition of the United Presbytery of Upper Canada, praying that the Education of the Presbyterian youth in the said Province may be provided for, be referred to a Select Committee, with power to send for persons and papers, and to report upon the allegations set forth in the said Petition. Ordered that the Honourable Messieurs William Dickson and George Crookshank be appointed a Committee for that purpose.

*19th February, 1830.*—The Honourable William Dickson, from the Select Committee appointed to consider and report upon the Petition of the United Presbytery of Upper Canada,\* presented their Report. Ordered that the Report be received. The same was then read and is as follows :

TO THE HONOURABLE SPEAKER OF THE LEGISLATIVE COUNCIL :

The Select Committee appointed to examine into and report upon the subject matter of a Petition from the United Presbytery of Upper Canada have made enquiry into the allegations contained in the said Petition, and beg leave to report :

2. That the Petition sets forth :

"That from the manner in which your Petitioners stand connected, in their Ministerial capacity, with a very large portion of His Majesty's subjects in this Province, they have the means of knowing, and it is with deep regret they are compelled to say, that the state of Education is in general in a deplorable condition. Although for many years a liberal provision has been made for the education of youth in this Province, yet the benevolent designs of the Legislature have failed in effecting the object they had in view. "The appointment of Trustees from one communion alone has occasioned a jealousy in the minds of the people, and destroyed that confidence which should ever be placed in the Public Institutions of our country. It might have been expected that as all classes of the community, and all denominations of Christians have to bear the expenses of these Institutions, that the interests of all would have been consulted, and that persons of intelligence and education of all denominations, would have been allowed to participate in their superintendence. Your Petitioners, with deep regret find that this is not the case."

3. For these allegations your Committee, after the minutest enquiry, have discovered that there is not the slightest foundation; and they think it a matter much to be regretted, that a body of men acting under so respectable a name as the "United Presbytery of Upper Canada," should have advanced statements so entirely unsupported by facts, especially as these statements are of a nature calculated to excite jealousies and discontent, where none ought in justice to exist.

4. The Act of 1807, under which the District (Grammar) Schools were established, has nothing exclusive in any of its provisions. It authorizes the Government to appoint not less than five fit and discreet persons in each District to be Trustees of the District (Grammar) School; these Trustees in each District are to nominate a fit and discreet person to be the Teacher, and to examine into his moral character, learning and capacity; and the Governor may affirm or dis-affirm their nomination. It will thus be seen that the law exacts no conformity to any particular creed or worship, either in the Trustees or Teacher. Fitness, discretion, moral character, learning and capacity, are the only qualifications the Statute speaks of.

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\*A copy of this Petition will be found on page 298. The proceedings of the Presbytery on this subject, and its reply to the Report of the Legislative Council on the Petition will be found at the end of the Legislative Council proceedings, page 315.



5. But the complaint is, that the Statute has not been carried into effect in a liberal spirit—That an exclusive system has been adopted, under which, it is stated, that the benefits intended have been enjoyed but in a very partial manner, “except by the followers of one Church, meaning, no doubt, the Church of England.

6. The District (Grammar) Schools, with respect to which the allegation is made, have been established for twenty-two years.

7. Your Committee are aware, that in those Schools most of the youth of the Province have been educated who now fill the several professions in this Province, and of whom many do credit to their respective Teachers. They are also aware, that the opportunities which these Schools have afforded have been ever open equally to the youth of every religious denomination, that the parents of all have appeared equally desirous that their children should profit by those opportunities; and this is the first occasion, within the knowledge of your Committee, in which it has ever been intimated that the inhabitants of this country did not equally participate in the advantages of those Schools without question as to their religious faith, or without a distinction of any kind founded on that principle. It is asserted in the Petition:

“That the Trustees of these Institutions, which ought to be impartially managed, for the benefit of all, have been almost exclusively appointed from one denomination of Christians, and consequently your Petitioners, and their congregations, as well as others in similar circumstances, have been deprived of that benefit which they had a right to expect would have arisen from them.”

8. On reference to a list of the Trustees appointed on the 13th of March, 1807, soon after the passing of the Act, it appears that they were selected by the Executive Government from among the most respectable inhabitants of the several Districts, without any regard to their religious opinions, for Roman Catholics and Presbyterians, as well as members of the Church of England are found among the number; and in the District of Newcastle, there was at first, only one out of six Trustees, a member of the Established Church. (See page 61.)

9. But if this assertion of the Petitioners were correct, as it most certainly is not, it could be of little moment as the Trustees have nothing to do with the education of the children, unless it could be shown that, in consequence of such a selection of Trustees, the Teachers have been exclusively taken from this one favoured denomination, and that those opportunities of education have in consequence been either denied to other denominations, or that a system of education has been pursued which might materially render them disinclined to send their children. No complaint of the kind last supposed is even insinuated, and we are convinced that it could not be advanced with any degree of justice.

10. It remains therefore to examine in what spirit the law has been acted upon in the appointment of Teachers.

11. To enable your Honourable House to pronounce upon that point, your Committee submit the following list of Gentlemen who have had charge of the several District (Grammar) Schools from their commencement to the present period; and they have stated to what religious denomination they believe the several Gentlemen to have belonged.

12. In some very few cases their information is not positive, but they are only in doubt with respect to two or three. That a difficulty of this kind should be found in any case arises from the fact in the selecting Teachers no rule such as has been imputed has been observed:

The Reverend Samuel Armour of Toronto and Peterboro'.—An ordained Minister of the Presbyterian Church when appointed, and while he held the school; he has since taken orders in the Church of England.

The Reverend W. D. Baldwyn of Cornwall.—Clergyman of the Church of England. (Page 83.)

Mr. George Baxter of Kingston.—A Presbyterian.

The Reverend John Bethune of Cornwall.—Clergyman of the Church of England.

The Reverend William R. Brown of York.—Clergyman of the Church of England.

Mr. John Burns of Niagara.—Presbyterian.

Mr. Hugh Bushby of Brockville.—Church of England.

Mr. E. Chadwick of London.—Congregational Minister.

Mr. Richard Cockrel of Niagara and Ancaster.—Believed to be a Presbyterian.

The Reverend Thomas Creen of Niagara.—Presbyterian Minister, has since taken orders in the Church of England.

The Reverend Rossington Elms of Toronto and Brockville.—Clergyman of the Church of England.

Mr. James Fulton of Cornwall.—Church of England.



Mr. Henry James of Cornwall —Church of England.

The Reverend Joseph Johnston of Cornwall —Presbyterian Minister.

Mr. William Johnson of Amherstburgh and Sandwich.—Presbyterian when appointed, has since taken orders in the Church of England.

Mr. John Law of Hamilton.—Presbyterian.

The Reverend John Leeds of Brockville.—Clergyman of the Church of England.

The Reverend Harry Leith of Cornwall.—Clergyman of the Church of England.

The Reverend Ralph Leeming of—, Clergyman of the Church of England.

The Reverend William Macaulay of Cobourg.—Clergyman of the Church of England.

The Reverend Alexander McIntosh of Sandwich.—Clergyman of the Church of England.

The Reverend John McLaurin of Hawkesbury.—Clergyman of the Church of Scotland.

Mr. William Merrill of—, Church of England.

Mr. James Mitchell of London.—Church of Scotland, afterward Judge of the County Court of London.

Mr. David Ovans of Cobourg.—Believed to be Church of England.

Mr. James Padfield of Brockville.—Methodist when appointed; afterward Church of England Minister.

Mr. William Pitt—, of Church of England.

Mr. Alexander Pringle of—, Presbyterian.

Rev. Thomas Phillips, D.D., of York.—Clergyman of Church of England.

Mr. Stephen Randal of Hamilton.—Church of England.

Mr. David Robertson of Sandwich.—Presbyterian when appointed, and while he held school, but has since taken orders in the Church of England.

Mr. George Ryerson of London.—Church of England when appointed, now a Methodist Minister.

Mr. John Stewart of Perth.—Believed to be a Presbyterian.

The Reverend George Okill Stuart of Kingston.—Clergyman of the Church of England.

The Reverend John Strachan of York.—Clergyman of the Church of England.

The Reverend Hugh Urquhart of Cornwall.—Clergyman of the Church of Scotland.

The Reverend John Wilson of Kingston.—Clergyman of the Church of England.

Mr. John Whitelaw of Kingston and Niagara.—Presbyterian.

It appears, therefore, that according to this list, which we believe to be correct, twenty of the Teachers appointed during the whole period have been members of the Church of England, and eighteen have been members of other religious persuasions, including in those eighteen, sixteen Presbyterians, and six [altered to eight on the 27th of February, 1830,] of these in Holy Orders.

It is also observable that those who held the situations for the longest periods of time, are :

Of the Church of England.	Years.	Of Presbyterians.	Years.
The Reverend Dr. Strachan.....	15	Mr. John Whitelaw.....	9.
The Reverend John Wilson.....	7	Mr. James Mitchell.....	9
		Mr. John Burns.....	8

13. And it also but just to state, that for a long time and in several of the Districts the resident clergymen of the Church of England was the only Gentleman either able or desirous to take charge of a classical school, and that these being selected in such cases certainly affords no proof of an illiberal spirit. When to these facts it is added, from information afforded to the Committee by an Honourable member of this House, that on the occasion of a vacancy occurring in the District of Johnstown the Reverend Mr. William Smart, the very gentleman who in the capacity of Moderator of the Presbyterians signs the Petition referred to us, might have obtained the situation of Teacher of the District School of that District, in which he then resided and still

resides, and that he declined undertaking the charge. Your Committee think it unnecessary to go into other details to show how little the allegations in the Petition correspond with the facts.

14. Your Committee cannot but express deep regret that the sanction of any respectable signature should have been given to statements calculated to mislead public opinion, and to create an excitement injurious to the peace of society.

WILLIAM DICKSON,  
Chairman.

LEGISLATIVE COUNCIL, COMMITTEE ROOM,  
19th February, 1830.

Ordered, That the House be put into Committee of the Whole on the foregoing Report tomorrow.

A deputation from the Commons House of Assembly returned the Bill intuled: "An Act to Incorporate the Trustees of the Grantham Academy," and acquainted this House that the Commons House of Assembly had agreed to the amendments made to the same by the Legislative Council.

20th February, 1830.—Agreeably to the Order of the Day, the House went into Committee of the Whole on the Report of the Select Committee on the Petition of the United Presbytery of Upper Canada.

The Honourable George Crookshank took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Report of the Select Committee into consideration, and had agreed to a Resolution which they recommended to the adoption of the House. Ordered that the Report be received.

The said Resolution was then read as follows:

*Resolved*, That it is the opinion of this Committee that the Report be again referred to the same Select Committee with instructions to reconsider the same, in order that all the statements may be carefully ascertained to correspond with the facts, and in particular avoiding the designation "Church of Scotland," as distinguished from "Presbyterians" when they are not certain that the Teacher belonged to that Church. The question of concurrence being put, the said Resolution was agreed to by the House. (See page 315.)

23rd February, 1830.—The Honourable and Venerable the Archdeacon of York gave notice that on Thursday next, he will move certain Resolutions on the subject of Education in this Province.

25th February, 1830.—A deputation from the Commons House of Assembly brought up and delivered at the Bar of this House a Message in the following words, and then withdrew:

MR. SPEAKER:

The Commons House of Assembly request permission for the Honourable James Baby, a Member of your Honourable House, to attend and give evidence before a Select Committee of this House to which has been referred the Report of the Trustees of the Western District School.

MARSHALL S. BIDWELL,  
Speaker.

COMMONS HOUSE OF ASSEMBLY,  
YORK, 25th February, 1830.

Ordered, that Mr. D'Arcy Boulton, the Master-in-Chancery, do go down to the Assembly and acquaint that House that the Honourable James Baby has leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their Message of this day, if he thinks fit.

Pursuant to notice, the Honourable and Venerable the Archdeacon of York, laid on the Table certain Resolutions on the subject of Education, and it was ordered that the same be taken into consideration on Saturday next.

27th February, 1830.—Pursuant to the Order of the Day, the House took into consideration certain Resolutions on the subject of Education, proposed by the Honourable and Venerable John Strachan, which were read as follows:

1. *Resolved*, That this House would do injustice to their feelings, were they to suffer the present session to terminate without an expression of their sentiments upon a subject of such deep interest to the inhabitants of the Province as that of Education.

2. *Resolved*, That this House has beheld with great satisfaction the successful issue of the exertions made by His Excellency to establish in this Province a Classical School of so superior



a description that it well merits the appellation of a College, and it is earnestly hoped that it may receive on all hands that protection which is necessary to secure it stability and to increase and perpetuate the inestimable benefits which it is at this moment conferring.

3. *Resolved*, That the Legislature of this Colony has not hitherto lost sight of the obligation they were under to provide for the diffusion of Education among all classes of the people. From an early period a Classical Seminary has been established in each District of the Province, encouraged by a salary provided for the Teacher from the Public Revenue ; and Common Schools have, at a great charge, been maintained in most of the settled Townships ; and it is hoped that the increasing means of the country will, in a short time, justify the Legislature in putting those valuable institutions which have already been productive of much good, upon a still more respectable footing.

4. *Resolved*, That by an Act of Royal Munificence justly appreciated, our Gracious Sovereign has liberally endowed an University, which in the course of a very short time, will open to the youth of this Province the advantages of the highest branches of knowledge, and a complete system of Education, not to be exceeded on this Continent, and afford them, in their native land, the opportunity of obtaining literary honours, under the instruction of able Professors from our Mother Country.

5. *Resolved*, That to give the full benefit of such an Institution by preserving the distinctive character of an University, it was wisely judged by His Excellency, that a great Public School or College ought to be established in a situation the most convenient to the Province generally, in which the means might be afforded, at a very moderate charge, of advancing in classical learning and the mathematics, upon an uniform system of instruction, commencing with the elements, and preparing the youth for entering the University well qualified to improve, to the utmost, the advantage which will be opened to them.

6. *Resolved*, That what was only designed a few months ago is now most happily accomplished. We have at this moment in Upper Canada a very gratifying distinction of possessing means of education that leave to parents nothing to envy or desire, in comparing the advantages of instruction enjoyed in by their children with those which are presented by some of the first Public Schools in Great Britain. We find five gentlemen, who have graduated in English Universities, superintending the Classical and Mathematical departments of the Upper Canada College, while instruction in the very desirable accomplishments of the French language and drawing is given by Masters highly qualified for the charge.

7. *Resolved*, That this House is not surprised that this admirable provision for education should so rapidly have attracted attention, that there are now not less than ninety pupils in the College ; a flattering proof of the great extent to which its benefits will hereafter be felt.

8. *Resolved*, That this House cordially congratulate His Excellency upon the entire success which appears to have attended the judicious means employed in the selection of the Principal and Masters, and we welcome their arrival in the Colony with the most sincere satisfaction, not questioning but that, in the very extended field which they will find open to their important labours, they will so exert themselves as to lay the foundation of incalculable good for future generations, and procure for themselves the gratitude of thousands who, by their instruction and example, will be rendered virtuous and enlightened members of society.

9. *Resolved*, That this House is not insensible to the responsibility which His Excellency has assumed in thus promptly carrying into effect so very liberal a design, and in the humble hope that their testimony may contribute in some measure to relieve His Excellency from its weight, it is deemed proper to express the unanimous conviction of the Legislative Council, that every motive of sound policy concurs in pointing out the expediency of placing on a sure and permanent footing the Institution which has had so auspicious a commencement.

10. *Resolved*, That this House presumes not to suggest resources nor to enter upon details, which, doubtless, His Excellency has duly considered, and will not fail to take paternal consideration of His Majesty's Government, but content themselves with declaring their opinion that, so far from injuriously interfering with the University of King's College, this Institution will eminently conduce to its utility, and was necessary to prepare the way for its beneficial intention.

11. *Resolved*, That this House feels that the zealous exertions of His Excellency in so speedily effecting this great public object has entitled His Excellency to the gratitude of the people of Upper Canada, and that this House is persuaded that His Majesty's Government will not fail to perceive the incalculable advantages which must result from giving the most liberal support to His Excellency's efforts in the cause of Education.

12. *Resolved*, That an humble Address to the Lieutenant-Governor be founded on these Resolutions, and that the same be presented to His Excellency.

On motion made and seconded, it was ordered, That the House be put into a Committee of the Whole on the above Resolutions on Monday next.



*27th February, 1830.*—The Honourable William Dickson, from the Select Committee to whom was referred the Petition of the United Presbytery of Upper Canada, praying that the education of the Presbyterian youth in Upper Canada be provided for, presented their Report. Ordered, that the report be received. The same was then read, and is as reported on the 19th of February, 1830. On motion made and seconded it was ordered, that the above Petition, together with the Report on the same, be printed.\*

*1st March, 1830.*—Pursuant to the Order of the Day, the House was put into a Committee of the Whole on the Resolutions introduced by the Honourable and Venerable John Strachan, on the subject of Education. The Honourable Peter Robinson took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the Resolutions into consideration and recommended them to the adoption of the House. Ordered, that the Report be received. The question of concurrence being put on each, the said Resolutions were severally agreed to by the House, and it was ordered, that the Honourable William Dickson and the Honourable and Venerable the Archdeacon of York be appointed a Committee to prepare an Address to His Excellency the Lieutenant-Governor, founded on the foregoing Resolutions.

*2nd March, 1830.*—A deputation from the Commons House of Assembly brought up a Bill intituled: "An Act to Establish Upper Canada College," to which they requested the concurrence of this House, and withdrew.

The Bill intituled "An Act to Establish Upper Canada College," was read a first time, and it was ordered, that the same be read a second time to-morrow.

*3rd March, 1830.*—Extract from the Report of the Special Committee appointed to inquire into and report upon the present division of the Province in Districts and Counties, etc.

The only provincial demand from the new District will be the annual salary of one hundred pounds for the Schoolmaster, with the advantage of the Common School Fund in an augmented population.

Pursuant to the Order of the Day, the Bill intituled "An Act to Establish Upper Canada College," was read a second time, and it was ordered, that the House be put into a Committee of the Whole on the same Bill to-morrow.

*4th March, 1830.*—The Honourable William Dickson, from the Select Committee appointed to prepare an Address to His Excellency the Lieutenant-Governor, founded on certain Resolutions on the subject of Education, reported a draft thereof which he read in his place. It was ordered, that the Report be received. The said draft was then read by the Clerk.

On motion made and seconded, it was ordered, that the House be now put into Committee of the Whole to take the said Address into consideration. The Honourable Peter Robinson took the chair.

After some time the House resumed, and the Chairman reported that the Committee had gone through the said Address and recommended the same to the adoption of the House. Ordered, that the Report be received; and ordered, that the Address be engrossed and read a third time this day.

*4th March, 1830.*—Pursuant to order, the Address to His Excellency the Lieutenant-Governor on the subject of Education was read a third time and passed.

On motion made and seconded it was ordered, that the Honourable William Dickson and the Honourable and Venerable the Archdeacon of York be appointed a Committee to wait on His Excellency the Lieutenant-Governor to know when he would be pleased to receive this House with their Address.

Pursuant to the Order of the Day, the House was put into a Committee of the Whole on the Bill intituled: "An Act to Establish Upper Canada College." The Honourable Joseph Wells took the chair.

After some time the House resumed. The Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again this day three months. Ordered, that the Report be received and leave granted accordingly.

(NOTE.—Thus, the Bill to establish Upper Canada College was rejected by the Legislative Council. For the probable reasons for this rejection, see page 305).

\*The only change made by the Select Committee, to which this Report was referred back, (page 310), was the prefixing to the ninth paragraph of the following words: "Your Committee have no reason to suppose any other intention has governed in filling up the vacancies, whatever may happen to be the religious persuasion of the present Trustees in any of the Districts." (See page 315).

5th March, 1830.—The Honourable William Dickson, from the Select Committee appointed to wait on His Excellency the Lieutenant-Governor to know when this House would be received with their Address on the subject of Education, reported that they had done so, and that His Excellency had appointed to-morrow at ten of the clock for that purpose.

6th March, 1830.—At the hour appointed their Honours waited upon His Excellency the Lieutenant-Governor with the Address to the King and the Address to His Excellency, and having returned, the Speaker reported that His Excellency had been pleased to make the following reply :

HONOURABLE GENTLEMEN :

I thank the Legislative Council for this Address. I trust that the Seminary established at York under very favourable circumstances will be protected by His Majesty's Government, and receive continued encouragement from the Provincial Parliament.

J. C.

GOVERNMENT HOUSE,

YORK, 6th March, 1830.

The Lieutenant-Governor, having directed the Members of the Commons House of Assembly to be summoned to the Legislative Council Chamber. On their arrival His Excellency was pleased, in the King's name, to assent to the following Bill :—"An Act to Incorporate the Trustees of the Grantham Academy."

The Lieutenant-Governor then closed the session of the Legislature with the usual Speech. In it he made no reference to the subject of Education.

The following is a copy of the Act to which the Governor's assent had been given :

#### 11th GEORGE IV., CHAPTER XIII.

AN ACT TO INCORPORATE THE TRUSTEES OF GRANTHAM ACADEMY, ST. CATHARINES.

*Sir John Colborne, Lieutenant-Governor.*

*Passed 6th March, 1830.*

MOST GRACIOUS SOVEREIGN :

Whereas subscriptions have been entered into by divers inhabitants of the Village of St. Catharines, in the District of Niagara, and its vicinity, for the purpose of establishing an Academy in the said village, and it is considered that if the stockholders should be incorporated and vested with powers for the regulation and good government of the said Academy, the same would become of great benefit and advantage to the public ; And whereas, Robert Campbell, Jacob Keefer, John Gibson, Chauncey Beadle and Lyman Parsons have, by their petition presented to the Legislature, prayed for such incorporation ; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled : " An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled, ' An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province," and by the authority of the same. That on the first Monday in May in this present year, and in every year thereafter, there shall be held a meeting of the subscribers to the Grantham Academy in the Village of St. Catharines, of persons holding stock therein, at which meeting shall be chosen from amongst the subscribers or stockholders, by a majority of them then there present, five Trustees, three of whom shall be a quorum for transacting all business relating to the said Academy, and the appointment of a Treasurer, Secretary, Masters, Assistants and other necessary officers and their salaries ; and by-laws shall then and there be made for the government of the school, and such other matters as to the said Trustees shall appertain to do ; and it shall be the duty of the said Trustees for the time being, to give public notice at least two weeks previous to the meeting of the stockholders, which is to be held on the first Monday in May annually.

Meeting of subscribers to be held in St. Catharines, in May to elect five Trustees.

Appointment of Secretary, Treasurer, Masters, Assistants, etc.

II. And be it further enacted by the authority aforesaid, That the said Trustees, together with the Treasurer and Secretary for the time being, and their successors, to be chosen as aforesaid, shall be, and they are hereby declared to be a body corporate and politic, in deed and in law, by the name of the Trustees of the Grantham Academy, and shall have perpetual succession and a common seal, with

Trustees, Treasurer and Secretary declared a corporation.



Corporation  
may hold five  
acres of land.

Shares £2.10  
each.

Stockholders  
to vote in pro-  
portion to  
shares held.

None to be  
Trustees or  
Officers except  
stockholders  
and British  
subjects.

None but Brit-  
ish subjects to  
be appointed  
teachers.

Statement of  
the affairs to  
be laid before  
the stock-  
holders.  
Annual elec-  
tion of trus-  
tees.

Shares to be  
transferable.

Extra meet-  
ings may be  
called.

A Public Act.

Stock, or  
effects, not to  
exceed £5,000.

power to change, alter, break or make new the same ; and they or their successors by the name aforesaid, may sue and be sued, defend and be defended, in all or any court or courts of record and places of jurisdiction within this Province ; and shall lawfully hold, use, receive, enjoy, possess and retain for the end and purposes of this Act, and in trust and for the benefit of the stockholders in the said Academy, all such sum and sums of money as have been had, subscribed and given, or shall at any time or times hereafter be paid, subscribed or given by any person or persons, to and for the advantage of the said Academy ; and that they and their successors, by the name aforesaid, shall and may, at any time hereafter, take, receive, have, hold, possess and enjoy, for the use and benefit of the said Academy, five acres of land, with the tenements or hereditaments thereto appertaining, and also all goods and chattels, for the purposes of the said stockholders, and for no other purpose whatsoever, and the said Trustees and their successors, or the majority of them, shall have full power to pay and dispose of the revenues, and manage the said estate and affairs of the said stockholders in the said Academy, in such manner as they may judge to be most advantageous to them.

III. And be it further enacted by the authority aforesaid, That a share in the stock of the said Academy shall be two pounds ten shillings, and that each stockholder shall be entitled to a number of votes proportioned to the number of shares which he or she shall have held, in his or her own name, at least three months prior to the time of voting, according to the following ratios, that is to say : One vote for each share not exceeding three ; four votes for six shares ; five votes for eight shares ; six votes for ten shares ; and one vote for every five shares above ten.

IV. And be it further enacted by the authority aforesaid, That no person shall be eligible to the office of Trustee, Treasurer or Secretary, or be appointed to the same, who shall not be a stockholder to the amount of one share, or who is not a natural born subject of His Majesty, or a subject naturalized by an Act of the British Parliament, or by any statute of this Province ; and that in case any vacancy or vacancies shall at any time happen among the Trustees, Treasurer or Secretary, by death, resignation or removal from the Province, the same shall be filled for the remainder of the period of service by such person or persons as the majority of the Trustees may appoint.

V. And be it further enacted by the authority aforesaid, That no person, not a natural born subject of His Majesty, or a subject naturalized by Act of the British Parliament, or by an act of the Legislature of this Province, shall be capable of being chosen or appointed, (after the passing of this Act), to be a teacher in the said Academy.

VI. And be it further enacted by the authority aforesaid, That it shall be the duty of the Trustees, Treasurer and Secretary, at every meeting appointed for the election of Trustees, Treasurer and Secretary, and previous to the proceeding to the election, to give an exact and particular statement of the affairs of the institution, and to make, at such meetings as aforesaid, a dividend of the profits of the institution, if any, after deducting the proper and necessary expenses thereof.

VII. And be it further enacted by the authority aforesaid, That the shares of stock in the said Academy shall be transferable, and may, from time to time, be transferred by the respective persons so subscribing or afterwards holding the same ; Provided, that such transfer or transfers be entered in a book or books kept for that purpose by the said Secretary, to which books and all other records of the proceedings of the Trustees, every stockholder shall, at all times, have free access.

VIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful, at any time, when at least one-half of the stockholders shall wish to call an extra meeting of the stockholders, to give notice, as above stated, to take into consideration any further measures connected with the interest of the school.

IX. And be it further enacted by the authority aforesaid, That this Act shall be taken to be a Public Act and be judicially noticed as such in the Courts of Justice in this Province, without being specially pleaded.

X. And be it further enacted by the authority aforesaid, That it shall not be lawful for the said Corporation to hold stock, property or effects, for the purposes aforesaid, to a larger amount than five thousand pounds.



## CHAPTER L.

## VARIOUS MATTERS RELATING TO THE UPPER CANADA LEGISLATION OF 1830, ETC.

## 1. PROCEEDINGS OF THE UPPER CANADA PRESBYTERY IN REGARD TO ITS PETITION.

On Monday, the 11th of January, 1830, the United Presbytery of Upper Canada met in the Presbyterian Church of the Reverend Robert Boyd, Prescott. The minutes of the last Presbytery being read, the Committee of the Literary and Theological Institution was called on for their Report.

The following was submitted and referred for future consideration :

The Committee, in reporting the result of their enquiries, are happy in informing the Presbytery that the erection of a Literary Institution, embracing a course of appropriate studies for such as are assigned for the Christian ministry, meets with the most decided and undivided approbation of the friends of Christ and the public in general.

The Committee, in the prosecution of their inquiries, have felt great encouragement that Divine Providence has offered such a door of usefulness to the Church, and are cheered in the prospect of the imperishable blessings that will be reaped by the present and future generations through the medium of the contemplated Seminary.

The Committee have no doubt but He in Whose hands are all hearts will influence the friends of science and religion to establish and support an Institution that cannot but be a blessing to the community and the Christian Church in particular.

The Committee would respectfully but deeply impress on the minds of the members of the Presbytery that the Institution is of vital importance to the prosperity of the Redeemer's Kingdom, and therefore urge with affectionate solicitude the prompt prosecution of this object, and, in order that no time be lost, they would recommend the following to their serious consideration :

1. That a plan of the Institution be drawn up, embracing the studies to be pursued, rules for the government of the same, together with an elevation and ground plan of the buildings, in order that a correct view may be had of the design of the Institution.

2. That a respectful application be made to the Provincial Government, praying for such assistance as they in their wisdom may deem most expedient.

3. That an appeal be immediately prepared and addressed to the public, agents appointed to circulate subscription papers and receive contributions in books and money.

4. That an immediate correspondence be entered into with the different ecclesiastical bodies, especially the General Assembly of the Church of Scotland, Synods, Presbyteries and Associations in Great Britain and Ireland, soliciting their aid and concurrence in the objects of this Presbytery and on the subject of the seminary in particular ; such being the extent of our deliberations, to your consideration all is most respectfully submitted.

*Resolved*, That the Clerk be instructed to write immediately to the Reverend William Bell to ascertain whether he has forwarded to the Legislature the Petitions respecting the state of education in Upper Canada and relating to the District Grammar and Common Schools, and, if forwarded, by whom sent.—*Brockville Recorder*, January, 1830.

## 2. REPLY OF THE UPPER CANADA PRESBYTERY TO THE REPORT, BY THE LEGISLATIVE COUNCIL, ON ITS PETITION TO THE LEGISLATURE.

On Tuesday evening, 1st June, 1830, the United Presbytery of Upper Canada assembled in the Presbyterian Church, Brockville. Among other subjects that came before them, a paper purporting to be a Report of a Committee of the Legislative Council of Upper Canada upon a Petition from the Presbytery upon the subject of Education was laid before them. A Committee was appointed to consider this Report and they submitted the following Report :

“Your Committee having considered the Report of the Legislative Council, they are of the opinion that it does not fairly meet the ground of complaint contained in the Petition, and appears designed as an attack upon the integrity of the Presbytery. That the Presbytery were correct appears from the number of shifts that the Council try in order to evade the main ground of complaint. They tell us that there is nothing exclusive in the statute of 1807 which makes provision for the District (Grammar) Schools. But this only shows that the Presbytery had the

greater reason to complain, for, although there is nothing exclusive in the statute, it has been acted upon in an exclusive manner. Besides, their referring to the Act is nothing but an evasion; for the Presbytery did not complain of the statute, but of the manner in which it was carried into effect. The Presbytery complained principally of the lessening of public confidence in the District (Grammar) Schools in consequence of the almost exclusive appointment of Trustees from one communion. This, the Committee of the Legislative Council has not proved, nor attempted to prove to be otherwise, which they, no doubt, would have done, if they could, by publishing a list of the Trustees of the District Schools and members of the Board of Education of the several Districts and showing to what religious denomination they belonged. The only particulars into which they enter respecting Trustees are with regard to only one District and that upwards of twenty years ago, instead of exhibiting what is really the case now. This is an evidence, however, that they did not misunderstand the purport of the Petition. Although they did understand it, instead of giving a list of Trustees, and making it appear that the spirit of the statute has not been violated, the Committee of the Council, in order to mislead the public and totally evade the main ground of complaint, give a list of Teachers of District Schools and notice that they have not all belonged to the Church of England. But, if this proves anything, it proves too much, for they have thus unintentionally given us an additional proof of the evil tendency of the exclusive system that has been pursued. For if those Teachers that were not originally Episcopalians, before they came under the influence of this exclusive system, it is a remarkable fact, and one deserving of particular notice, that many have, (to use their own words), "Since that taken orders in the Church of England." The Committee of the Presbytery are fully assured from their own acquaintance with the existing state of things that the statements contained in the Petition are correct, and that the Trustees of the District Schools are almost exclusively appointed from one religious denomination, and that they are not aware that a single Clergyman of any denomination other than the Church of England has ever been appointed Trustee of the District (Grammar) Schools, or that any Clergyman of the Church of England resident in the town or village where the District (Grammar) School is established has been passed by. But, in order that the public may be thoroughly convinced of this by a minute and accurate proof, Your Committee recommend to the Presbytery :

"1. That a respectful application be made to His Excellency the Lieutenant Governor for an authenticated copy of the Report of the Legislative Council on the subject of the Petition of the Presbytery on Education and also an official list of the Trustees of the District (Grammar) Schools, and of the members of the Boards of Education throughout the Province.

"2. That the Clerk be instructed to write to the absent members of this Presbytery and other respectable individuals and request them to furnish the Moderator with a list of the Trustees of the District (Grammar) Schools and the members of the Board of Education in their respective Districts and the respective denominations to which they belong,—the said reports to be made to the Moderator, if possible, on or before the 1st of July. All which, etc."

ROBERT McDOWALL,

BROCKVILLE, May, 1830,

Chairman.

### 3. KING'S COLLEGE COUNCIL AND THE UPPER CANADA LEGISLATURE, 1830.

The Upper Canada House of Assembly having requested Sir John Colborne, the Lieutenant-Governor, to obtain for it information in regard to the receipts and expenditure, up to that year, of the proposed University of King's College, His Excellency requested the College Council to furnish him with the desired information. An account of the proceedings of the Council in regard to this request, made in February, 1830, is given in the Report of the Commissioners, appointed by Lord Elgin in 1848, to enquire into the financial management of the University.

The Commissioners of 1848, referring to this subject in their Report, say :

The College Council, at so early a date as February, 1830, manifested a repugnance to the submission of its fiscal affairs to the Provincial Legislature. The following extract from the Council minutes will show the views entertained by that body on this subject :

"The attention of the Board was called to the circumstance of an application made by the House of Assembly to His Excellency the Lieutenant-Governor, for information relative to its



funds and the expenses incurred ; and it was decided that the following communication should be transmitted to His Excellency :

COLLEGE COUNCIL CHAMBER,

YORK, 8th of February, 1830.

*To Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada :*

SIR,—In transmitting, at Your Excellency's desire, this statement of the funds of King's College, and the expenses incurred, thereby affording information upon those subjects on which the Council have the least reason for wishing reserve, they, nevertheless, deem it proper thus early to solicit Your Excellency's consideration of a question which may in time become important, namely, how far the Legislature can assume a right to inquire into the financial or other concerns of an Institution resting wholly on Royal foundation and deriving neither privilege nor aid from any other quarter. Any discussion or difficulty upon this question may lead to perplexing results ; and the Council feel that it is but prudent to shew that they are not insensible to the embarrassment that may then be found to have been created by repeated acquiescence. In offering this observation, the Council desire not to be understood as advancing an objection to a compliance with the request for the information which is now placed in Your Excellency's possession.

I have, etc., H. BOYS,

Bursar.

(Pages 20, 21 and 133 of the Commissioners' Report.)

#### 4. BRITISH HOUSE OF COMMONS' REQUEST FOR INFORMATION IN REGARD TO KING'S COLLEGE.

The College Council having before them a communication from His Excellency, Sir John Colborne K.C.B., enclosing a Despatch from Sir George Murray, one of His Majesty's principal Secretaries of State with the copy of an Address of the House of Commons to His Majesty praying "that he will be pleased to give directions that there be laid before the House an account of all grants of land to trustees, or other officers, appointed by Charter for the maintenance, and establishment of any College or Seminary for Education in Upper Canada, with any valuation or estimate that may have been made of the same," have the honour to report :

That the Charter for the establishment of King's College within the Province of Upper Canada in North America with all the powers and privileges of a University, was granted by His late Majesty, King George IV. in March, 1827, and was soon after transmitted to His Excellency, Sir P. Maitland, then Lieutenant-Governor of the Colony, by Lord Bathurst, one of His Majesty's principal Secretaries of State. That in virtue of the provisions of the Charter, seven members were named by Sir P. Maitland, who, together with the Chancellor and President, compose the College Council ; a Registrar and Bursar were also appointed and the institution regularly organized.

That a grant was given by His late Majesty, towards erecting the necessary buildings, of £1,000 per annum, to continue sixteen years from 1st January, 1828, of which two years have been paid.

That a grant of 225,944 acres of the Crown Reserves, the greater part of which are occupied and under lease, was given to the corporation for the support of the University.

That the probable rental arising from the leased lands, at the time they were transferred to the College, may be estimated at less than £1,000 per annum. (Page 104 and 105 of the Commissioners' Report).

YORK, September 30th, 1830.

In regard to the value of the University endowment of lands, the Commissioners appointed by Lord Elgin in 1848, say in their Report :

On the 30th of September, 1830, the College Council, in a report to His Excellency, Sir John Colborne, the Lieutenant-Governor, state the value of the University Lands to be "nearly £100,000." The Council valued the annual rental at "less than £1,000 per annum." This was very much under the actual amount. It must have been at least £3,000. The average price on the whole of the sales, (say 134,057 acres), up to the 31st of December, 1849, has been £14.3½ per acre.



The proceedings of the College Council on this subject are reported by the Commissioners of 1848 as follows :

5. REPORT ON THE MEMORANDUM OF THE LIEUTENANT-GOVERNOR TO THE EXECUTIVE COUNCIL, IN MAY, 1830.

Extract of a Report of the Executive Council to the Lieutenant-Governor, in reply to his memorandum of May, 1830, dated the 17th of November, 1830 :

The Council entirely concurs in the recommendations of Your Excellency that an equivalent in lands may be so arranged in the proposed exchanges, as neither to prejudice the interests of the Crown, nor of the School Fund, and, indeed, it appears to the Council that the measure suggested will be highly favorable to the public interests, in affording the Crown the means of dispensing more generally through the country the many respectable emigrants arriving from Europe.

(NOTE.—After quoting the proceedings of the Executive Council, and of Sir Peregrine Maitland, from 1819 to 1823, the Lieutenant-Governor concluded his memorandum as follows :)

The Lieutenant-Governor is of opinion, that central Township Schools should be formed and endowed ; that each endowment should be secured under the Great Seal ; that no Masters should be appointed to these schools, unless qualified to teach the elements of the Latin language, and of Mathematics ; and that the District (Grammar) Schools should also be endowed with land.

J. C.

GOVERNMENT HOUSE,  
YORK, May, 1830.

6. MEETING AT YORK ON DECEMBER THE 10TH, 1830, IN REGARD TO THE CHARTER OF KING'S COLLEGE AND GENERAL EDUCATION, ETC.

A meeting of friends of Religious Liberty residing in the Town of York and its vicinity was held on Friday, 10th December, 1830, to consider the propriety of petitioning the Imperial Government respecting the Clergy Reserves, General Education and the enjoyment of equal religious privileges by all classes of His Majesty's subjects. Mr. Robert Baldwin was called to the Chair, and the Reverend William Smith was appointed Secretary.

Dr. T. D. Morrison moved the adoption of the following Resolution :

1. *Resolved*, "That it is expedient to address the House of Commons by Petition, requesting that Honourable Body to take the subject of promoting religion and education in Upper Canada into their most serious consideration ; praying that Honourable House to take such steps as may be within its constitutional powers, that . . . . the Charter of King's College be modified so as to exclude all sectarian tests and preferences—and that the proceeds of the sale of the lands heretofore set apart for the support of a Protestant Clergy be appropriated to the purposes of general education and various internal improvements." Carried unanimously.

2. *Resolved*, That the following Petition to the Imperial Parliament be adopted. Carried.

*To the Honourable the Knights, Citizens and Burgesses, representing the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled :*

The Petition of His Majesty's faithful subjects, the undersigned inhabitants of the Province of Upper Canada, in British North America, Humbly Sheweth :

That your Petitioners addressed your Honourable House about three years ago, on subjects indispensably connected with the vital interests of your Petitioners, their children and the Province at large, namely : . . . . the establishment of a partial, unsuitable and oppressive system of education.

A liberal and equitable system of education your Petitioners consider of equal importance to the well-being of this Province, with a just and wise policy in respect to religion. And they regret to have it to say that the Charter of King's College has, as yet, undergone no modification, and that the principles on which it is established are incompatible with a state of public opinion and unsuitable to the circumstances of the people.

Your Petitioners feel persuaded that nothing would contribute more to the tranquility of Upper Canada . . . . than an equality of privileges and immunities among all Christian denominations, and a system of education under the control of the Provincial Legislature, with

Schools and Colleges in which there should be no preference of sectarian tenets, or interests, and whose portals and honours would be equally accessible to meritorious industry of every religious creed.

In addition to one-seventh of the Province, a grant of 225,944 acres of the Crown Lands has been made to endow King's College, established at York, U. C., and an annual sum from the Imperial Government of £1,000 for sixteen years. The College Council have passed an order to dispose of none of this land for less than four dollars per acre, and much of it has been sold at a higher rate. According to this valuation, this single grant amounts to upwards of £200,000, or between eight and nine hundred thousand dollars, besides an annual appropriation of £1,000 for sixteen years. The terms of the Charter place this munificent endowment also under the control of the Clergy of the Church of England, as also the entire government of the College.

When, therefore, it is considered that . . . the funds arising from the sale of the Clergy lands might be converted from a worse than useless purpose to the promotion of various and important internal improvements; and that the Charter and Endowments of King's College are partial and exclusive, your Petitioners cannot but remonstrate against the manifest injustice, impolicy and evil of thus appropriating so large a portion of the Province, and of making such invidious distinctions on account of religious opinions.

May it, therefore, please Your Honourable House to take the subject of promoting religion and education in Upper Canada into your serious consideration; . . . to modify the Charter of King's College established at York in Upper Canada, so as to exclude all sectarian tests and preferences—and to appropriate the proceeds of the sale of lands heretofore set apart for the support of a Protestant Clergy to the purposes of general Education and various internal improvements. And your Petitioners, etc.

Signed by 10,000 and upwards of the inhabitants of the Province.

## 7. EARLY ESTABLISHMENT OF SCHOOLS IN UPPER CANADA, 1813-1831.

The following information, in regard to the early establishment of some of the schools in various parts of the country, was not received in time for insertion in its proper chronological order. It is therefore inserted here.

*Port Hope.\** The first Common School taught by a female Teacher in Port Hope was opened about 1813, or earlier, by a Miss Burns—one of a family of early settlers at Smith's Creek, (now Port Hope). She was succeeded in about 1815 by a Mr. Hobbs, an American. Mr. George C. Ward, Registrar of East Durham, (now in his 83rd year,) attended this school in 1817. The school building, the first one erected here, was situated on the south east corner of what are now King and William streets—the present site of Mr Ward's private residence. Mr. Hobbs was succeeded by Mr. Patrick Lee, in 1824-25; by Mr. John Bengel in 1826. In 1830 the school was taught by Mr. Rattery, and afterwards by Mr. George Hughes. in 1830-32, assisted by his two daughters,—one of whom is Mrs. Matchett o Omemee, now of Lindsay. Mr. Ward and Mr. Riordan (now in his 78th year) attended a school in 1819 on what is now Cavan street, taught by a Mr. Taylor. Mr. Ward also attended *The Old Blue School*, York, in 1821. The first private School, or Seminary, in Port Hope was established by the Reverend James Coughlan, B.A., Rector of Port Hope in 1831 or 1832. He erected a large building upon the glebe lands for his residence and the School of a most substantial character, and although a wooden structure, it is to-day quite as good as at the time it was completed. Mr. Coughlan returned to England in 1835.

*Aurora.†* In 1825, the first log Schoolhouse was built on the farm of Mr. Simpson, in the first concession of the Township of Whitchurch, one and a quarter of a mile north of the town. Mr. Caudle (a French officer of the Imperial Army) was the Teacher in 1827. He was succeeded by Mr. Douer, a retired officer of the British Army. In 1829 the School House was destroyed by fire; and a new frame building was erected at Machell's Corners in the Township of King. Mr. Harvey, also a retired officer of the British Army, was appointed Teacher.

\*Condensed from information furnished by Mr. George M. Furby, of Port Hope, in May, 1894. From information derived from His Honour Judge Benson, and from Messieurs George Ward and George M. Healy, Town Treasurer.

†Contributed, as inserted, by Mr. William Willis, of Aurora, in April, 1894. (Remainder further on.)



*London.\** The first School was opened in London about the year 1828. The building, in which this School was kept, was probably a very plain structure. Among the first Teachers of any note were Mr. Routledge, Messieurs John Hawkins, Edward Allen Talbot and his Brother John Talbot. Each of these kept school for a brief period only, between the years 1828 and 1837. Mr. Hawkins' school was on what is now King street, opposite the present Market grounds; and Mr. Edward Allen Talbot had his school at first on what is now Richmond Street, near the corner of Queen's Avenue, and afterwards on the present York Street, west of Ridout Street. There were also schools kept by female Teachers, the best known of whom were Miss Stinson, Miss Cronyn and Mrs. Pringle.

*St. Catharines.—The Grantham Academy.†* We have it recorded in the *St. Catharines Journal* of June, 1829, that the then Lieutenant-Governor of Upper Canada, Sir John Colborne, visited the Grantham Academy Building on the 22nd of that month, and expressed himself highly pleased with the Building and its surroundings; and on that occasion referred to the fact that contracts had just been let to erect on King Street, opposite the Government House, in Toronto, the building of Upper Canada College. In the *Journal* of the 5th of August, 1829, appeared a notice to the effect that the Academy would be opened on the second Monday of September. (See page 220.) To this announcement the Trustees added the following: "No part of the duty of the Trustees has been attended with more difficulty than the obtaining of competent Teachers; nor is there any in which they have been more fortunate" [than in the present ones: Mr. William Lewis, and Miss Cornelia Convers, niece of the late Dr. Convers]. So, (the writer proceeds,) from Monday, the 16th of September, 1829, we may, as an historical fact, fix the formal opening of the dear old "Grantham Academy,"—the first Classical School established in the Niagara peninsula. The names of the first Trustees were: Messieurs Chauncey Beadle, Jacob Keefer, Lyman Parsons, Robert Campbell and John Gibson. . . . By the books of the Registry Office in this city it will be seen that after the passing of the Act of Incorporation in 1830, the late Honourable William Hamilton Merritt made a deed conveying in fee simple the land, one acre and one-hundredth of an acre—on which the building was then erected, to the Trustees of the Grantham Academy, which land, from aught that appears on the record, is still vested in the said Trustees. The lot itself of four hundred acres was originally patented on the 6th of May, 1796, to the Honourable Robert Hamilton, from whom the site of the Academy was purchased by Mr. Merritt. . . . Mr. Lewis, the Master, resigned in August, 1830, and Mr. Walker, assistant to Mr. Lewis, was appointed in his place until December, when Mr. Thirkell was appointed Principal. . . . In October, 1830, Miss Margaret Anderson, (afterwards Mrs. Thomas Adams), who was educated in Edinburgh, was appointed to the Female Department. . . . In September, 1831, Mr. William McLaren, of Union College, Schenectady, succeeded Mr. Thirkell. The other Teachers were Mr. Swait and Miss Convers. The Trustees at this time were Messieurs Hiram Leavenworth, Lyman Parsons, William C. Chace, Henry Wilkinson and Simon Vandecar. (See page 313.)

*Niagara Grammar School.‡* Dr. John Whitelaw was appointed Master of the District (Grammar) School in 1830, and held that post until 1851. He was a good classical scholar, and had a school of forty pupils. Many received here a sound education. He had different assistants, among whom was his son John, a young man of great promise, who died early in his career. He is still remembered for his lectures on Chemistry and his interesting experiments in it. Among Dr. Whitelaw's pupils were Judges Burns, Miller and Baxter, Sheriff McKellar, the Reverend Mr. Trew, and Messieurs J. G. Currie, S. D. Woodruff, Walter Meneilly, James M. Dunn and Frank Harkness.

*Miss Black's School St. Catharines.§* In the *Farmers' Journal*, etc., of September, 1829, Miss Black informs her friends and the public that her Select School will recommence on Tuesday, the 15th September, 1829; that she will receive only a limited number of pupils, and that she will personally superintend their moral and religious instruction. No day scholars will be admitted. Board £6 10s., (\$26); Tuition, £2, (\$8) per quarter. Other accomplishments as usual.

*Cornwall Grammar School.* In addition to the information in regard to the Cornwall Grammar School, given by Mr. C. J. Mattice, on page 230, the following

\*Prepared, in reply to my Circular to the Board of Trustees of the 5th of February, 1894, by Mr. Nicholas Wilson, a former Teacher, and published by him in the *London Free Press* of May the 7th, 1894. Sent to me by Mr. W. J. Carson, Public School Inspector. The remainder will be inserted in its proper place.

†Contributed to the *What Not* of December, 1891,—a publication issued by the "St Catharines' Collegiate Institute Literary Society," by Mr. John McKeown.

‡Condensed from information furnished by Miss Carnochan, Niagara.

§Information furnished by Mr. W. Manson, St. Catharines.



particulars relating to the Teachers of the Cornwall School are taken from His Honour Judge Pringle's "Lunenburgh":\*

After the Reverend Mr. Strachan's departure from Cornwall the School was carried on by the Reverend John Bethune, afterwards Dean of Montreal, until 1815. In the year 1817 the Reverend Joseph Johnston, a Presbyterian Minister, was appointed Master. He, no doubt, did all in his power for the School, but he was unable to keep up the standing it had acquired in the time of its founder, and his connection with it ceased about 1820, when the Mastership was given to the Reverend Henry James, and was held by him until 1822. The next Teacher was the Reverend Harry Leith, a Minister of the Church of Scotland, and a native of Aberdeen, who held the position until 1826. . . . He was a good scholar, and an active and energetic Teacher, but he did not win the affection of his scholars, (probably because he followed too strictly the precept of Solomon: "Withhold not correction," etc.) In 1827 the school was placed under the charge of the Reverend Hugh Urquhart, who had been educated at King's College, Aberdeen, and ordained a Minister of the Church of Scotland. He remained in charge of the Eastern District Grammar School until 1840. . . . He was a ripe scholar and a conscientious and highly successful Teacher. His assistants were Messieurs Lawrence Donahue, William Kay and William Bain—afterwards Presbyterian Minister for many years at Perth.

## APPENDIX.

CIRCULAR ISSUED BY THE EDITOR OF THIS DOCUMENTARY HISTORY.

*To the Chairman and Members of School Boards in Cities and Towns of Toronto:*

DEAR SIRS,—In preparing for the Department of Education, (under the direction of the Honourable the Minister,) the Documentary History of Education in Upper Canada, from 1791 to 1876, it appears to me that the History would not be complete without a brief record in it of the establishment of the first Grammar, or Public School, (or noted Private School or Seminary, etc.), in the chief Cities, Towns and larger Villages of the Province.

I should be thankful, therefore, if your School Board would favour me, as soon as convenient, with such a statement of facts, names and dates, connected with the establishment and history of schools, (such as I have described,) in your municipality, as the Board may be able to procure and send to me.

Yours very truly,

J. GEORGE HODGINS,

LIBRARIAN AND HISTORIOGRAPHER TO THE DEPARTMENT OF EDUCATION.

EDUCATION DEPARTMENT,

TORONTO, 5th February, 1894.

## MEMORANDUM IN REGARD TO THE FOREGOING CIRCULAR.

Up to the date of this memorandum, I have received no reply to the above circular from your Board.

Since it was sent to the Board, the compilation and printing of the Documentary History have progressed, chronologically, from 1807 to 1830, so that replies to the circular will soon be too late to be available for this History.

Of course, replies are optional; but my desire has been that each School Trustee Board in Ontario should have an opportunity to contribute, or not, at its pleasure, to this record of our educational history.

EDUCATION DEPARTMENT,

TORONTO, May 12th, 1894.

J. GEORGE HODGINS.

\*Lunenburgh, or the Old Eastern District, etc., by J. F. Pringle, Judge, County Court, Cornwall, 1890. pages 239, 240.





# INDEX.

- Academy, Ernestown, at Bath, v., 79, 85, 86, 132.
- Academy, Grantham, at St. Catharines, iv., 229, 234, 285, 263, 268, 273, 279, 280, 281, 282, 283, 293, 294, 295, 297, 306, 307, 313, 314, 320.
- Acts, Common School, 101, 102, 104, 111, 136, 143, 147, 150, 155, 172, 173, 175, 197, 204, 247.
- Act, Common School, to Relieve Teachers in the Niagara District, 193, 194.
- Acts, District (Grammar) School, 60, 63, 64, 65, 66, 68, 71, 73, 75, 86, 94, 111, 118, 122, 136, 147, 148, 149, 150, 155, 204.
- Act, District (Grammar) School, in Ottawa District, 192, 193.
- Act, District (Grammar) School, in Bathurst District, 192.
- Act, to incorporate the Midland District School Society, 92, 93.
- Act to Provide Education for Orphan Children, 29.
- Act to Procure Certain Scientific Apparatus, 56.
- Addison, the Rev. Robert, Teacher, Niagara, 13, 30, 168, 196, 199.
- Alcock, Hon. Chief Justice, 80.
- Aldborough schools, 162.
- Allan, Hon. William, 132, 256, 276, 305.
- Anderson, Miss Margaret, Teacher in St. Catharines, 320.
- Apparatus for the Promotion of Science, 50, 53, 54, 55, 56.
- Appeal of Rev. Dr. Strachan on behalf of a University in Upper Canada, 215-218, 291.
- Appleton, Mr. Thomas, a Teacher in York, Case of, 174, 175, 176, 177, 179, 236, 243, 244, 246, 247, 248, 249, 250, 251, 252, 253, 268.
- Armour, Rev. Samuel, Teacher at York and Peterborough, 231, 308.
- Arthur, Rev. Mr., Teacher, Niagara, 30, 32.
- Arthur, Sir George, 204, 205, 289, 290.
- Arts and Science School, Kingston, 129.
- Atkins, Mr. D. A., Teacher at Napanee, 30.
- Atkinson, Mr. James, 200.
- Aurora Schools, Teachers in the, 319.
- Aylmer School, Teachers in the, 167.
- Baby, Hon. James, 70, 80, 142, 256, 276, 283, 300, 305.
- Bain, Mr. James, junior, 3, 4, 31.
- Bain, Rev. William, a Teacher at Cornwall, 321.
- Baker, Mr. Henry, School at Kingston, 130.
- Baldwin, Hon. Robert, 47, 160, 161, 259, 292, 300, 318.
- Baldwin, Dr. William Warren, vii., 31, 33, 47, 81, 181, 184, 188, 189, 248, 259.
- Baldwyn, Rev. W. D., 83, 308.
- Banks, Sir Joseph, 5, 8, 10, 11.
- Barclay, Commodore Robert, 42.
- Bath Academy. (*See* Ernestown.)
- Bathurst District Common School Act, 200, 211.
- Bathurst District, Grammar School, 185, 186, 187, 188, 190, 191, 192.
- Bathurst, Earl, 178, 179, 225, 226.
- Beikie, Mr. John, 96, 100, 101.
- Belford's Magazine*, v.
- Bell, Rev. Dr. Andrew, 89, 174, 175, 176, 178, 182, 244, 247, 252.
- Bell, Rev. William, 230, 299, 315.
- Bell, Mr. William, Teacher of Six Nation School, 37, 38, 39.
- Belleville, Teachers in the Schools of, 31.
- Belleville, named after Governor Gore's wife, 59.
- Bengel, Mr. John, a Teacher in Port Hope, 319.
- Bethune, Right Rev. Bishop, 42, 107, 109, 203, 215, 221, 229.
- Berkeley College, Bermuda, 13.
- British and Foreign School Society, 89, 131, 132.
- Brown, Rev. Professor, 42.
- Brown, Rev. William R., Teacher at York, 309.
- Buell, Mr. William, junior, 260, 272, 274, 292, 300.
- Buchanan, Mr. A., Teacher in Aldborough, 165.
- Burnham, Hon. Zaccheus, 115, 118, 136, 199.
- Bidwell, Mr. Barnabas, Teacher at Bath, 80, 123. (*See* Ernestown.)
- Bidwell, Hon. Marshall S., iv., 80, 123, 200, 232, 242, 260, 262, 263, 265, 273, 275, 294, 295, 310.
- Binniger, Mr. John, Teacher to the Six Nation Indians, 37.
- Bill to establish Upper Canada College, 301, 305, 312.
- Black's, Mrs., School in St. Catharines, 320.
- Blakey, Rev. John, 198, 199.
- Blayney, Mr. James, Teacher at Niagara, 30, 32.
- Blue School, York, the Old, iii., 105, 106, 132, 160, 175, 289, 290, 319.
- Board of Education, General, 176, 196, 199, 203, 215, 227, 245, 247, 248, 265, 266, 267, 268, 277, 289.
- Boards of Education, District, 101, 111, 199, 247, 267.
- Books, School, in 1819, 166 ; in 1820-22, 182.
- Boulton, Hon. George S., 200.
- Boyle, Hon. Robert, 40.
- Boys, Dr. Henry, 317.
- Brant, Captain John, 40.

- Brant, Captain Joseph, 36, 40.  
 Brantford Schools, Teachers in the, 202.  
 Brock, Sir Isaac, 10, 75, 78, 87.  
 Burns, Rev. John, Teacher at Niagara, 30, 308, 309.  
 Burns, Hon. Mr. Justice, R.E., 289.  
 Burns, Miss, a Teacher in Port Hope, 319.  
 Burwell, Mr. Mahlon, vii., 85, 89, 100, 111, 114, 115, 116, 163, 169, 184, 199, 232.
- Caldicott, Rev. Dr. T. F., Teacher at York, 175.  
 Cameron, Hon. Duncan, 199, 200, 276, 305.  
 Cameron, Mr. John, 114, 115.  
 Campbell, Sir William, 237, 256, 276, 305.  
 Canada Company, Grant from Payments of, to University, 226.  
 Canada, Upper, Education in, 34, 123, 133, 134, 135, 154, 155, 156, 157, 158, 159.  
 Carruthers, Mr. John, Teacher in West Gwillimbury, 202.  
 Carleton, Sir Guy. (*See* Dorchester, Lord.)  
 Carnochan, Miss, contribution by, 167, 196, 229, 319, 320.  
 Carson, Mr. W. J., 320.  
 Carwright, Hon. Richard, 9, 28, 42, 54, 61, 70, 73, 74, 75, 80, 86, 122, 154, 155.  
 Central (Church of England National) School, iv., 174, 175, 177, 179, 180, 244, 246, 248, 284.  
 Chadwick, Mr. S., Teacher at London, U. C., 308.  
 Chalmers, Rev. Dr. Thomas, 9, 41, 155.  
 Chalus, Count de, 31.  
 Chisholm, Mr. William, 184.  
*Christian Recorder*, 43, 104, 121, 122, 153, 158, 159, 160, 196.  
 Chart, Ecclesiastical, 240, 241, 242.  
 Charter of, and King's College, v., 13, 150, 157, 159, 171, 204, 211, 215, 221, 222, 226, 234, 235, 240, 242, 253, 254, 257, 258, 259, 274, 277, 282, 283, 292, 293, 318, 319.  
 Church and State, Union of, Abolished, 246.  
 Church of England Schools. (*See* Central School.)  
 Clark, Colonel John, 10, 61; Mr. John, 184, 187.  
 Clark, Hon. Thomas, 142, 256, 276, 282.  
 Clarke, Mr. Jonathan, Teacher in Fredericksburgh and Matilda, 30.  
 Claus, Hon. William, 81, 142, 199.  
 Clench, Mr. Ralph, 49, 50, 64, 97, 100, 168, 196, 199.  
 Cochran, Hon. Mr. Justice, 48, 52.  
 Cockrel, Mr. Richard, Teacher in Niagara and Ancaster, 10, 11, 30, 32, 155, 195, 308.  
 Colborne, Sir John, 150, 179, 257, 258, 259, 260, 261, 262, 263, 264, 265, 268, 272, 274, 275, 276, 277, 278, 279, 280, 281, 283, 284, 285, 286, 287, 289, 290, 291, 292, 293, 294, 296, 297, 301, 306, 313, 316.  
 Colborne College. (*See* Upper Canada College.)  
 College, Elizabeth, 285, 288.  
 College, King's. (*See* Charter of, and University of.)
- College, Upper Canada, 282, 284, 285, 286, 287, 288, 290, 291, 301, 305, 312.  
 Colonial Office Correspondence, 11, 12, 13, 14, 16, 17, 19, 25, 26, 27, 257, 258.  
 Committees of the House of Assembly, 121, 240, 242, 254, 255, 260, 261, 285, 300.  
 Company, New England, 89.  
 Contents of this first volume, viii.  
 Convers, Miss, a Teacher in St. Catharines, 320.  
 Cooper, Mr. William, Teacher in York, 30, 32, 33.  
 Cornwall, School and Teachers of it, v., 34, 41, 42, 83, 155, 227, 230, 231, 321.  
 Cosens, Mr. Charles N. B., 290.  
 Coughlan, Rev. James, a Teacher in Port Hope, 319.  
 Cotter, Mr. James, 115.  
 Council of King's College, 294, 316.  
 Council, Executive. (*See* Executive Council.)  
 Course of Study for Grammar Schools Suggested by Rev. Dr. Strachan, 109, 110.  
 Course of Study at York Common School (1820), 182.  
 Cowan, Captain David, 52, 53, 64.  
 Coventry, Mr. George, 10, 92, 94.  
 Cranahan, Mrs., School, Adolphustown, 31.  
 Green, Rev. Thomas, Teacher at Niagara, 196, 228, 229, 308.  
 Crombie, Mr. Marcus C., 290.  
 Cronyn, Miss, Teacher in London, U. C., 320.  
 Crooks, Hon. James, 184, 199.  
 Crooks, Hon. Adam, 184.  
 Crookshank, Hon. George, 256, 276, 305, 310.  
 Crown Reserves, 22, 205, 211, 317.  
 Cryslar, Mr. John, 58, 61, 63, 64, 85, 100, 115, 198.  
 Currie, Mr. A., Teacher in Aldborough, 164.
- Dalton, Mr. Thomas, 259, 269, 292.  
 Dickson, Hon. William, 50, 52, 59, 67, 142, 196, 199, 256, 276, 305, 310.  
 Dickson, Mr. Thomas, 100.  
 Dickson, Mr. Robert, 292.  
 District, Bathurst, 200, 211, 229, 271.  
 District, Eastern, 71, 76, 77, 83, 123, 198, 227, 228, 263, 270, 271.  
 District, Gore, 124, 126, 149, 199, 265, 270, 271.  
 District, Home, 61, 107, 109, 183, 199, 228, 247, 270, 271, 290.  
 District, Johnstone, 61, 128, 149, 270, 271.  
 District, London, iv., 61, 62, 63, 71, 72, 125, 199, 270, 271.  
 District, Midland, 61, 77, 79, 111, 127, 128, 129, 131, 199, 227, 265, 267, 269, 270, 271.  
 District, Midland, School Society, 86, 87, 89, 90, 91, 92, 93, 131, 132, 156.  
 District, Newcastle, 61, 76, 78, 86, 128, 199, 227, 229, 270, 271.  
 District, Niagara, 61, 127, 199, 228, 270, 271; Relief of Teachers in, 185, 187, 188, 190, 191, 193, 194.  
 District, Ottawa, 124, 184, 185, 189, 191, 192, 193, 198, 227, 228, 267, 268.



- District, Western, 61, 128, 265, 270, 271, 300, 301.
- Districts, School Reports from Various, 126, 127, 128, 266, 270, 271.
- Divinity Students, Rev. Dr. Strachan's petition for aid towards educating, 117, 118.
- Donahue, Mr. Lawrence, Teacher at Cornwall, 321.
- Donovan, Mr., Teacher at Kingston, 30.
- Dorchester, Lord, (Sir Guy Carleton), v., 15, 153, 154.
- Dorland, Mr. Thomas, 58, 63, 64, 69, 71, 78, 199.
- Drummond, Sir G. G., 50, 75, 83, 84, 87, 88, 90.
- Duncombe, Dr. Charles, vii.
- Dundas, Right Hon. Henry, 8, 10, 11, 12.
- Dunn, Hon. John H., 236, 276, 305.
- Dunn, Colonel, 277.
- Durand, Mr. Charles, 95, 96, 98, 100, 112, 115, 120, 136, 170.
- Eaton Hon. General John, vi.
- Edgar, Mr. and Mrs. J. D., 30.
- Education, General Board of, 196, 265, 268.
- Education, District Boards of, 101, 111, 128, 175, 199.
- Education, House of Assembly Committees on, 269, 270, 271, 272, 297.
- Education, Meeting at York, in regard to, (1830), 318, 319.
- Education, State of, in Upper Canada, 34, 131, 134, 135, 153, 154, 155, 156, 157, 158, 159, 196, 319, 321.
- Educational Proceedings of the Upper Canada Legislature in the years 1791-1793. None.
- Educational Proceedings of the Upper Canada Legislature in the years 1794-1797. No records.
- Educational Proceedings of the Upper Canada Legislature in the year 1798, 17-19.
- Educational Proceedings of the Upper Canada Legislature in the year 1799, 28-30.
- Educational Proceedings of the Upper Canada Legislature in the years 1800-1803. None.
- Educational Proceedings of the Upper Canada Legislature in the year 1804, 47-49.
- Educational Proceedings of the Upper Canada Legislature in the year 1805, 49-51.
- Educational Proceedings of the Upper Canada Legislature in the year 1806, 51-56.
- Educational Proceedings of the Upper Canada Legislature in the year 1807, 57-61.
- Educational Proceedings of the Upper Canada Legislature in the year 1808, 62-66.
- Educational Proceedings of the Upper Canada Legislature in the year 1809. No records.
- Educational Proceedings of the Upper Canada Legislature in the year 1810, 66-70.
- Educational Proceedings of the Upper Canada Legislature in the year 1811, 71-75.
- Educational Proceedings of the Upper Canada Legislature in the year 1812, 75-78.
- Educational Proceedings of the Upper Canada Legislature in the year 1813. No records.
- Educational Proceedings of the Upper Canada Legislature in the year 1814, 84-88.
- Educational Proceedings of the Upper Canada Legislature in the year 1815. No records.
- Educational Proceedings of the Upper Canada Legislature in the year 1816, 94-104.
- Educational Proceedings of the Upper Canada Legislature in the year 1817, 111-114.
- Educational Proceedings of the Upper Canada Legislature in the year 1818, 114-122.
- Educational Proceedings of the Upper Canada Legislature in the year 1819, 136-150.
- Educational Proceedings of the Upper Canada Legislature in the year 1820, 169-174.
- Educational Proceedings of the Upper Canada Legislature in the years 1820-1821. No records.
- Educational Proceedings of the Upper Canada Legislature in the years 1821-1822, 180-181.
- Educational Proceedings of the Upper Canada Legislature in the year 1823, 184-194.
- Educational Proceedings of the Upper Canada Legislature in the year 1824. No records.
- Educational Proceedings of the Upper Canada Legislature in the year 1825, 200-203.
- Educational Proceedings of the Upper Canada Legislature in the years 1826-1827, 206-211.
- Educational Proceedings of the Upper Canada Legislature in the year 1828, 232-253.
- Educational Proceedings of the Upper Canada Legislature in the year 1829, 259-283.
- Educational Proceedings of the Upper Canada Legislature in the year 1830, 291-314.
- Educational Proceedings of the Upper Canada House of Assembly during the years 1791-1793. None.
- Educational Proceedings of the Upper Canada House of Assembly during the years 1794-1797. No records.
- Educational Proceedings of the Upper Canada House of Assembly during the year 1799, 24.
- Educational Proceedings of the Upper Canada House of Assembly during the years 1800-1803. None.
- Educational Proceedings of the Upper Canada House of Assembly during the year 1804, 48.
- Educational Proceedings of the Upper Canada House of Assembly during the year 1805, 50-51.
- Educational Proceedings of the Upper Canada House of Assembly during the year 1806, 52-54.
- Educational Proceedings of the Upper Canada House of Assembly during the year 1807, 57.
- Educational Proceedings of the Upper Canada House of Assembly during the year 1808, 62-64.



Educational Proceedings of the Upper Canada House of Assembly during the year 1809. No records.

Educational Proceedings of the Upper Canada House of Assembly during the year 1810, 66-70.

Educational Proceedings of the Upper Canada House of Assembly during the year 1811, 71-73.

Educational Proceedings of the Upper Canada House of Assembly during the year 1812, 76.

Educational Proceedings of the Upper Canada House of Assembly during the year 1813. No records.

Educational Proceedings of the Upper Canada House of Assembly during the year 1814, 85, 86.

Educational Proceedings of the Upper Canada House of Assembly during the year 1815. No records.

Educational Proceedings of the Upper Canada House of Assembly during the year 1816, 94-104.

Educational Proceedings of the Upper Canada House of Assembly during the year 1817, 111-114.

Educational Proceedings of the Upper Canada House of Assembly during the year 1818, 114-122.

Educational Proceedings of the Upper Canada House of Assembly during the year 1819, 136-142.

Educational Proceedings of the Upper Canada House of Assembly during the year 1820, 169-174.

Educational Proceedings of the Upper Canada House of Assembly during the years 1821-22, 180-181.

Educational Proceedings of the Upper Canada House of Assembly during the year 1823, 184-189.

Educational Proceedings of the Upper Canada House of Assembly during the year 1824. No records.

Educational Proceedings of the Upper Canada House of Assembly during the year 1825, 200-201.

Educational Proceedings of the Upper Canada House of Assembly during the years 1826-27, 206-211.

Educational Proceedings of the Upper Canada House of Assembly during the year 1828, 232-258.

Educational Proceedings of the Upper Canada House of Assembly during the year 1829, 259-276.

Educational Proceedings of the Upper Canada House of Assembly during the year 1830, 292-304.

Educational Proceedings of the Upper Canada Legislative Council during the years 1791-1793. None.

Educational Proceedings of the Upper Canada Legislative Council during the years 1794-1797. No records.

Educational Proceedings of the Upper Canada Legislative Council during the year 1798, 18.

Educational Proceedings of the Upper Canada Legislative Council during the year 1799, 28.

Educational Proceedings of the Upper Canada Legislative Council during the years 1800-1803. None.

Educational Proceedings of the Upper Canada Legislative Council during the year 1804, 49.

Educational Proceedings of the Upper Canada Legislative Council during the year 1805. None.

Educational Proceedings of the Upper Canada Legislative Council during the year 1806, 54-55.

Educational Proceedings of the Upper Canada Legislative Council during the year 1807, 59.

Educational Proceedings of the Upper Canada Legislative Council during the year 1808, 65.

Educational Proceedings of the Upper Canada Legislative Council during the year 1809. No records.

Educational Proceedings of the Upper Canada Legislative Council during the year 1810, 70.

Educational Proceedings of the Upper Canada Legislative Council during the year 1811, 73, 75.

Educational Proceedings of the Upper Canada Legislative Council during the year 1812, 78.

Educational Proceedings of the Upper Canada Legislative Council during the year 1813. No records.

Educational Proceedings of the Upper Canada Legislative Council during the year 1814, 86.

Educational Proceedings of the Upper Canada Legislative Council during the years 1815-1818. No records.

Educational Proceedings of the Upper Canada Legislative Council during the year 1819, 142, 143.

Educational Proceedings of the Upper Canada Legislative Council during the year 1820. No records.

Educational Proceedings of the Upper Canada Legislative Council during the year 1821. No records in part.

Educational Proceedings of the Upper Canada Legislative Council during the year 1822. No records in part.

Educational Proceedings of the Upper Canada Legislative Council during the year 1823, 189-191.

Educational Proceedings of the Upper Canada Legislative Council during the year 1824. No records.

Educational Proceedings of the Upper Canada Legislative Council during the year 1825. No records.

- Educational Proceedings of the Upper Canada Legislative Council during the year 1826, 210.
- Educational Proceedings of the Upper Canada Legislative Council during the year 1827, 210.
- Educational Proceedings of the Upper Canada Legislative Council during the year 1828. No records.
- Educational Proceedings of the Upper Canada Legislative Council during the year 1829, 276-2\*3.
- Educational Proceedings of the Upper Canada Legislative Council during the year 1830, 305-313.
- Elgin, The Earl of, iv., 205, 289, 316, 317.
- Elizabeth College, 285, 288.
- Eliot, John, Apostle to the New England Indians, 39.
- Elliott, Mr. Matthew, 71.
- Elms, Rev. Rossington, Teacher, York and Brockville, 308.
- Elmsley, Hon. Chief Justice, John, 16, 19, 20, 23, 80, 288.
- Emendations in King's College Charter by Rev. Dr. Strachan, 221.
- Endowment of King's College, 16, 17, 20, 205, 238, 264, 317.
- Endowment of Upper Canada, 289, 294.
- Ernestown, Schools at, and Teachers in them, 31, 79, 85, 86, 127, 128, 132.
- Examination of the Rev. Dr. Strachan's School at York, 34, 106, 160.
- Executive Council, 20, 24, 26, 151, 179, 180, 197, 244, 245, 318.
- Fairfield, Mr. Benjamin 79, 85.
- Fenton, Mr. John, Teacher, York, 175.
- Ferguson, Mr. John, 37, 48, 49.
- Firth, Hon. Attorney-General, Firth, 76, 81.
- Fletcher, Rev. Alexander, Teacher, Ernestown, 132.
- Flindall, Mr. John, Essay on Education by, 133.
- Fothergill, Mr. Charles, 292.
- Founding of Upper Canada College, 284.
- Frank, Castle, 7.
- Frost, Mr. Francis J., contribution by, 229.
- Fraser, Mr. Isaac, 111, 114, 115, 118, 136.
- Fraser, Hon. Thomas, 142.
- Free Press*, London, Ontario, 320.
- Free School Principle, Dr. Strachan on, 267.
- Fuller, Right Rev. Bishop, 42, 45.
- Fulton, Mr. James, Teacher at Cornwall, 309.
- Furby, Mr. G. M., contribution by, 319.
- Furnival School, Aldborough, 165.
- Gazette*, Kingston, 82, 90, 92, 104, 129, 133, 167.
- Gazette*, Upper Canada, 33, 34, 52, 131, 290.
- " York 30, 47, 106.
- George III., Memorable Saying of, 89.
- Gibson, Mr., Teacher at Thurlow, 31.
- Girls admitted to the Grammar Schools, 266.
- Girls, Rev. Dr. Strachan against their admission to Grammar Schools, 266.
- Goderich, Lord, 226.
- Gordon, Hon. James, 184, 232, 276, 301.
- Gore, Lieutenant-Governor, 57, 59, 60, 62, 65, 67, 75, 77, 94, 109, 111, 114, 120, 121.
- Gore District named after the Lieutenant-Governor.
- Gough, Mr. Thomas B., 67, 71, 76.
- Gourley, Mr. Robert, 105, 112, 122, 123, 127, 133.
- Governors of Upper Canada, 7, 14, 16, 87, 88.
- Grammar School Acts. (See Acts, District Schools).
- Grammar School at York, Royal, iv., 259, 285, 292, 293, 294.
- Grant, Hon. Alexander, 51, 55, 80.
- Grantham Academy. (See Academy, Grantham).
- Gray, Hon. Solicitor-General, 18, 19, 48, 52.
- Gwillimbury West, Schools and Teachers in them, 202, 203.
- Hagerman, Hon. Christopher A., 90, 132.
- Haldinand, Sir Frederick, 36.
- Hall, Mr. George B., 115.
- Hamilton, Hon. Robert, 9, 29, 56, 61, 80, 155, 320; Mr. Robert, 184.
- Hamilton, Mr. George, 184, 232, 292.
- Handcock, Rev. Thomas, Teacher, Niagara, 229.
- Harris, Hon. Dr. T. W., 3.
- Harris, Mr. Thomas, School, Kingston, 131.
- Hatt, Mr. Richard, 118, 136.
- Healey, Mr. George M., contribution by, 319.
- Highlanders of Glengarry, Petition for Schools, 48, 49.
- Hill, Mrs., School at Kingston, 131.
- Hildreth, Mr. P., Teacher, Kingston, 167.
- History of King's College, 221, 254.
- Hobbs, Mr., a Teacher in Port Hope, 319.
- Home District. (See District, Home).
- Home District, Teachers in the, 1820-22, 183.
- Hope, Lieutenant Governor (L. C.), 13.
- Hopkins, Mr. Caleb, 259.
- Horner (or Hornor), Mr. Robert, 184, 200, 232, 260, 300.
- Horton, Right Hon. R. J. W., 215, 240, 253, 256, 257.
- Hough, Rev. William, Indian Missionary, 40.
- Howard, Mr. Peter, 50, 64, 69, 115, 118.
- Howland, Mr. Oliver A., 288.
- Hughes, Mr. George, a Teacher in Port Hope, 319.
- Hunter, Lieutenant-Governor, 15, 26, 27, 47, 48, 49, 51, 80.
- Hunter, Mr. A. F., contribution by 202.
- Huskisson, Mr., 257.
- Indians, Six Nations, Education of, 40, 197, 206, 210.
- Jackson, Mr. John Mills, 121.
- Jackson Point, Lake Simcoe, 121.
- James, Mr. John, Teacher at Hay Bay, (Adolphustown), 31.
- James, Mr. Henry, Teacher at Cornwall, 231, 309, 321.

- James, Mr. Thomas, Teacher, Brantford, 202.  
 Jarvis, Mr. William, 31.  
 Johnson, Sir John, 15.  
 Johnson, Sir William, 109.  
 Johnson, Rev. William, a Teacher at Amherstburg and Sandwich, 309.  
 Johnston, Rev. Joseph, Teacher at Cornwall, 231, 309, 321.  
 Johnstone District. (*See* District, Johnstone).  
 Johnstone, Mr. Wellesley, Teacher, Brantford, 202.  
 Jones, Mr. David, 184, 200.  
 Jones, Hon. Jones, 42, 43, 111, 112, 115, 118, 136, 184, 200.  
 Jones, Mr. Charles, 232, 276, 305.  
 Jones, Rev. Dr., 236.  
*Journal of Education for Upper Canada*, 43, 89.  
*Journal*, St. Catharines, 230.
- Kay, Mr. William, a Teacher at Cornwall, 321.  
 Kellock, Mr. J. D., contribution by, 230.  
 Kelly Dr. M. J., 39, 202.  
 Kennedy, Mr., Teacher, Aldborough, 164.  
 Ketchum, Mr. Jesse, 174, 183, 234, 246, 249, 250, 259, 292.  
 King's College. (*See* Charter, King's College).  
 Kingsford, Mr. William, C E., 3, 4.  
 Kingston School, v., 83, 84, 127, 128, 129, 167, 202; Library in, 111.
- Lancaster, Mr. Joseph and his Monitorial System, 89, 131.  
 Latham, Mr. Henry, 130.  
 Langhorne, Rev. John, 82, 83.  
 Law, Mr. John Law, Teacher, Hamilton, 309.  
 Lefferty, Dr. John J., 260, 292.  
 Leeming, Rev. Ralph, a Teacher, 196, 209.  
 Legislation, Educational, Disturbing Influences on, 120.  
 Legislature, School. (*See* Acts, School, etc.)  
 Leith, Rev. Harry, Teacher at Cornwall, 231, 309, 321.  
 Lee, Mr. Patrick, Teacher in Port Hope, 319.  
 Leeds, Rev. John, a Teacher at Brockville, 309.  
 Leslie, Mr., a Teacher in Belleville, 31.  
 Lewis, Mr. Levi, 67.  
 Lewis, Mr. William, a Teacher in St. Catharines, 320.  
 Liancourt, Duc de, 5.  
 Library at Kingston, 84, 111; at Bath, 82; at Niagara, 167.  
 Lindsay, Mr. Charles, 3, 203.  
 London District. (*See* District of London).  
 London, Teachers in the Schools of, 320.  
 Luggar, Rev. Robert, Indian Missionary, 40.  
 Lyons, Mr., a Teacher at Hay Bay, 30.
- Macaulay, Rev. William, a Teacher at Cobourg, 43, 309.  
 Mackenzie, Mr. William Lyon, 259, 292.  
 Macara, Mr. John, Writer of the "Origin and History of King's College," 254.
- Macdonald, Hon. J. Sandfield, School Life of, 231, 266.  
 Madras System of Teaching. (*See* Bell, Rev. Dr.)  
*Mail*, The Toronto, 167.  
 Maitland, Sir Peregrine, 5, 118, 120, 136, 138, 140, 144, 145, 148, 151, 152, 157, 161, 168, 169, 172, 177, 178, 179, 180, 182, 191, 197, 202, 203, 204, 205, 211, 225, 226, 233, 246, 247, 284, 318.  
 Mallory, Mr. Benajah, 50, 54, 57, 58, 63, 67, 71, 73, 74, 75, 76, 85.  
 Manson, Mr. William, contribution by, 229, 319, 320.  
 Markle, Mr. Abraham, 67.  
 Markland, Hon. George H., 43, 90, 132, 196, 256, 276, 287, 290, 305.  
 Masters, First, of Upper Canada College, 290.  
 Mathews, Captain John, 232, 233, 236, 260.  
 Mattice, Mr. C. J., contribution by, 230.  
 Merritt, Hon. William H., iv., 11, 256, 320.  
 Merrill, Mr. William, a Teacher, 309.  
 Messages from the Lieutenant-Governor to the Legislature, 98, 138, 140, 144, 145, 169, 191, 238, 239, 261, 263, 265, 268, 274, 276, 277, 278, 279, 280, 281, 294, 296, 297, 306, 318.  
 Midland District. (*See* District of Midland).  
 Midland District School Society. (*See* District of, Midland School Society).  
 Millar, Mr. D. E., contribution by, 168.  
 Milnes, Sir Robert Shore, 15.  
 Minor College. (*See* College, Upper Canada).  
 Mississauga Indians. (*See* Indians).  
 Mitchell, Mr. James, Teacher, and County Judge, London District, 155, 199, 309.  
 Militia Men, Education of, in 1812, 81, 82.  
 Mohawk Indians. (*See* Indians).  
 Montague, Schools in, 229, 230.  
 Moon, Mr. William, on Sunday Schools, Kingston (1817), 129.  
 Moore, Most Rev. Archbishop, 8.  
 Morgan, Mr. Henry J., 36.  
 Morris, Hon. William, vii., 184, 188, 193, 199, 200, 230, 232, 260, 292.  
 Morrison, Dr. T. D., 183, 246, 249, 251, 318.  
 Morrow, Mr. W. G., contribution by, 231.  
 Mountain, Right Rev. Bishop Jacob, 10, 12, 13, 14, 16, 42, 256.  
 Munro, Mr. George, Teacher, Aldborough, 162.  
 Munro, Hon. John, 80.  
 Murray, Sir George, 28, 87, 92, 257, 258, 276, 284.  
 Myers, Mr., a Teacher in Thorold, 165.
- McBride, Mr. Edward, 232.  
 McCall, Mr. Duncan, 232, 292.  
 McCallum, Mr. W., Teacher, Aldborough, 163.  
 McColl, Mr. Archibald, contribution by, 162.  
 McColl, Mr. John S., Teacher, Aldborough, 166.  
 McColl, Mr. Ebenezer, Teacher, Aldborough, 166.  
 McCormick, Mr. William, 108.



- McCrone, Mr. Edward, contribution by, 231.  
 McConkey, Mr. Sheriff, Thomas D., 203.  
 McDarmid, Mr. John, Teacher, Aldborough, 164.  
 McDarmid, Miss Catherine, Teacher, Aldborough, 164.  
 McDonell (or McDonald), Mr. Donald, 199, 200, 292.  
 McDonell, Hon. Alexander, 40, 48, 53, 63 ; Mr. Alexander, 48, 184, 232.  
 McDonell, Mr. Angus, 40, 48, 49.  
 McDonell, Lieutenant-Colonel John, 76.  
 McDougall, Mr., Teacher at Hay Bay, 31.  
 McDougall, Mr. John, Teacher, Aldborough, 163.  
 McDougall, Mr. Lachlin, 182.  
 McDougall, Mr. Colin, Q.C., 162.  
 McGill, Hon. John, 24, 56, 59, 70, 142, 256, 276, 305.  
 McGregor, Mr. John, 100.  
 McIntosh, Hon. Angus, 256, 276.  
 McIntosh, Rev. Alexander, a Teacher at Sandwich, 509.  
 McKellar, Sheriff Archibald, 162, 163, 184.  
 McKeown, Mr. John, (in *What Not*, St. Catharines), 320.  
 McLachlin, Mr. Archibald, 165.  
 McLaurin, Rev. John, Teacher at Hawkesbury, 206, 227, 309.  
 McLaren, Mr. William, Teacher in St. Catharines, 320.  
 McLean, Hon. Allan, 50, 58, 91, 144, 145, 147, 198.  
 McLean, Hon. Archibald, Chief Justice, 42, 43, 76, 132, 184, 199, 260.  
 McLean, Hon. Neil, 256, 276.  
 McMartin, Mr. Alexander, 100, 118, 136, 171.  
 McMullen, Mr. John M., 3, 4, 59, 114, 203.  
 McNabb, Mr. James, 76.  
 National, Church of England, Central School, York, 179, 244, 245, 246.  
 Newburgh Academy, iv.  
 New England Company, 39.  
 Nelles, Ven. Archdeacon, 40, 160.  
 Nelles Mr. Robert, 49, 52, 63, 64, 96, 97, 100, 111, 115, 118, 136, 170.  
 Nelles, Rev Dr. S. S., iv.  
 Newcastle District. (See District of Newcastle).  
 New Glasgow School, 165.  
 Niagara District. (See District of Niagara).  
 Niagara, Town of, Teachers in the Schools of, 196, 229, 320.  
 Niagara, Library in, 167.  
 Nichol, Mr. Robert, 94, 100, 111, 114, 136, 170, 181, 184.  
 Normandy, Marquis of, 204, 289.  
 Nova Scotia, Schools in, 267.  
 "Old Blue School" at York. (See Blue School, etc.)  
 Opening of King's College, (1842), 9, 152, 204, 258, 259.  
 Opening of Upper Canada College, 290.  
 22 (D.E.)  
 O'Reilly, Mr. Edward, Teacher, 31.  
 Orphan Children, Act relating to, 28, 29.  
 Orphan School at St. Catharines, 31.  
 Osgoode, Hon. Chief Justice, William, 80.  
 Osgoode, Rev. Thaddeus, 90, 91, 206.  
 Ottawa District. (See District of Ottawa).  
 Ovens, Mr. David, Teacher at Cobourg, 227, 309.  
 Padfield, Rev. James, Teacher at York and Brockville, 290, 309.  
 Papers, Miscellaneous Educational, 79, 129, 160, 194.  
 Parliamentary Debates in the Grammar School at York, 107.  
 Patrick, Mr. William P., 250.  
 Pattie, Mr. David, 184.  
 Penmanship Taught in 1812, 81.  
 Perry, Mr. Peter, 200, 232, 233, 292.  
 Perth, Schools in, 230.  
 Peterborough, Schools in, 231.  
 Peterborough, Named after Mr. Peter Robinson, 112.  
 Peterson, Mr. Paul, 232, 292.  
 Philosophy, Natural, Lecture by Rev. Dr. Strachan, on, 132.  
 Philan, Mr. Edward, Teacher, case of, 207, 208, 233, 236, 268, 269, 273, 274, 283.  
 Phillips, Rev. Dr., 228, 255, 285, 290, 309.  
 Pitt, Mr. William, a Teacher, 309.  
 Playter, Mr. Eli, 175.  
 Port Hope Schools and Teachers in them, 319.  
 Portland, Duke of, 14, 17, 19, 20, 23, 25, 26, 150, 151, 152, 154, 195, 211.  
 Potter, Mr. James, Teacher, Belleville, 31.  
 Powell, Hon. Chief Justice, Wm. Dummer, 114, 116, 120, 138, 142, 143, 144, 147, 152, 156, 171, 187, 190, 256, 276, 305.  
 Presbytery of the Canadas, Address of, 161.  
 Presbytery of Upper Canada, Petition of, 293, 298, 299, 306, 307, 315, 316.  
 Prescott, Sir Robert, 15.  
 Presidents of Upper Canada, 87.  
 Pringle's, Mrs., Ladies' School in Kingston, 83.  
 Pringle's, Mrs., School at London, Upper Canada, 320.  
 Pringle, Mr. Alexander, a Teacher, 309.  
 Pringle, Judge J., jr., 231, 321.  
 Prospectus of the Midland District School Society, 90.  
 Purcell, Mr. John J., Teacher, York, 31.  
 Qualification of School Teachers in 1799, 33.  
 Radenhurst, Mr. Robert, 292.  
 Randal, Mr. Robert, 232, 233.  
 Randal, Mr. Stephen, 232, 292, 309.  
 Rattery, Mr., a Teacher (Thorold and Port Hope), 168, 319.  
 Read, Mr. David B., Q.C., 65.  
 Recorder, Christian (See *Christian Recorder*).  
 Religious Instruction, Lieutenant-Governor, Sir Peregrine Maitland, on desire for, 169.  
 Report of House of Assembly re Mr. T. Appleton's Case, 247.

- Report of House of Assembly, *re* Ecclesiastical Chart, 240.
- Reports of House of Assembly on Education, 269, 297.
- Report of Legislative Council on Petition of Presbytery of Upper Canada, 307, 310.
- Report of the General Board of Education. (*See* Board, General.)
- Report of the Central School, York (1821), 177.
- Report on the Case of Mr. Thomas Appleton, 247.
- Representation, University, 135, 138, 139, 141, 142, 145, 146, 153, 169, 170, 171, 172, 174.
- Reserves, Crown. (*See* Crown Reserves.)
- Ridout, Hon. Thomas, 30, 31, 97, 100, 101, 105, 177, 196, 199, 256, 276.
- Robertson, Mr. J. Ross, 46, 105, 107, 161, 286.
- Robertson, Mr. David, Teacher at Sandwich, 309.
- Robinson, Sir Frederick P., 87, 88.
- Robinson, Hon. Chief Justice, 36, 42, 43, 70, 151, 177, 181, 196, 200, 206, 210, 232, 292, 305, 306.
- Robinson, Mr. Malcolm, Teacher, Aldborough, 162, 163.
- Robinson, Mr. Orpheus, Teacher, Brantford, 202.
- Robinson, Hon. Peter, 111, 112, 115, 118, 136, 170, 276, 305.
- Rochefocauld, Duc de la, 34.
- Rogers, Mr. David McG., 18, 28, 49, 52, 53, 57, 58, 64, 66, 71, 78, 184.
- Rolph, Hon. Dr. John, vii., 199, 200, 232, 233, 259, 275, 285, 289, 292.
- Rottenburg, Count de, 88.
- Routledge, Mr., a Teacher in London, 320.
- Royal Grammar School at York, *iv.*, 5, 47, 228, 259, 285, 290, 292, 293, 294. (*See* Blue School, Old).
- Rules for School Teachers, 157.
- Russell, Hon. Peter, 14, 16, 17, 18, 19, 20, 23, 25, 26, 28, 29, 105, 150.
- Russell Square, York, 287, 288, 289, 290.
- Rattan, Sheriff Henry, 31, 184.
- Ryerson, Rev. Dr. Egerton, *iii.*, 7, 10, 57, 81.
- Ryerson, Rev. George, *iv.*, 253, 255, 309.
- Ryerson, Col. Joseph, 10, 61, 63, 199.
- Ryerson, Rev. William, 10.
- Salaries of Teachers in 1819, 165.
- Salisbury, Mr., Teacher at Sophiasburg, 31.
- Scadding, Rev. Dr., 5, 7, 11, 31, 35, 43, 47, 55, 107, 114, 153, 158, 160, 174, 175, 203, 288.
- School, Central, at York. (*See* Central School.)
- School Acts. (*See* Acts, School, etc.)
- School, Indian. *See* Indian.)
- School, Sunday. (*See* Sunday Schools.)
- Schools in Upper Canada in 1817, 1819, etc. (*See* Canada, Gourley and Statistics.)
- Scott, Hon. Chief Justice, Thomas 58, 64, 65, 70, 73, 81, 97, 98, 142.
- Senkler, Judge, Contribution by, 230.
- Shaver, Mr. Peter, 184, 292.
- Shaw, Hon. Aeneas, 20, 24, 28, 56, 65, 70, 80.
- Shaw, Mr. A. S., Contribution by, 167, 202.
- Sheaffe, Major General, 10, 75, 87, 88.
- Sherwood, Hon. Levius P., 184, 189, 190, 198, 199.
- Sherwood, Mr. Samuel, 49, 50, 51, 53, 58, 61, 63, 64.
- Silcox, Mr., Teacher in Aylmer, 167.
- Simcoe, Lieutenant-Governor, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 40, 80, 151, 154, 195.
- Simcoe, Captain John, 6.
- Simcoe, Lieutenant Francis G., 7.
- Simcoe, Mrs., 5, 6.
- Six Nation Indians. (*See* Indians.)
- Smart, Rev. William, 299, 309.
- Smith, Hon. D. W., 16, 20, 24, 25, 27, 105.
- Smith, Professor, Charles S., *vi.*
- Smith, Professor Goldwin, 7.
- Smith, Hon. Samuel, 5, 115, 118, 122, 199.
- Smith, Mr., a Teacher in Ernestown, 30.
- Society, Midland District School. (*See* District Midland, etc.)
- Society, New England. (*See* New England.)
- Sovereign Mr. Philip, 67, 68, 69, 71, 72, 76.
- Spragg, Mr. Joseph, Teacher of the Central School, York, 174, 175, 176, 177, 179, 246, 248, 249, 250, 251, 252, 253.
- Square, Russell. (*See* Russell Square.)
- Statistics of the Church of England in Upper Canada, 218, 221, 237.
- Statistics, School (1817), 123; (1829), 265.
- Stewart, Mr., a Teacher in Aldborough, 164.
- Stewart, Mr. John, a Teacher in Perth, 309.
- Stewart, Rev. Alexander, a Teacher in York, 175, 251.
- Stinson, Miss, a teacher in London, U. C., 320.
- Street, Hon. Samuel, 67, 70.
- Strachan, Rev. Dr., *v.*, 9, 31, 34, 41, 42, 43, 44, 45, 46, 106, 107, 109, 110, 117, 132, 135, 152, 153, 158, 160, 176, 181, 195, 196, 205, 211, 215, 218, 221, 222, 225, 230, 248, 249, 250, 251, 253, 256, 258, 259, 265, 266, 267, 268, 271, 287, 305, 309, 310, 321.
- Stuart, Rev. Dr. John, 13, 16, 30, 31, 33, 35, 36, 37, 38, 39, 41, 61, 82, 90.
- Stuart, Rev. Dr. G. Okill, 41, 46, 61, 91, 93, 309.
- Study, Course of, for Grammar Schools, 109.
- Study, Course of, at York Common School (1820), 182.
- St. Catharines, Teachers in the Schools of, 31, 229, 320.
- St. George, Mr. Quetton, 31.
- St. Thomas, Schools in, 231.
- Sunday Schools, 129, 181, 185, 186, 187, 197.
- Swait, Mr. Teacher in St. Catharines, 320.
- Swayze, Mr., Isaac, 85, 97, 100, 118.
- Systems of Bell and Lancaster, 89, 174, 178.
- Talbot, Hon. Thomas, 85, 194, 256.
- Talbot, Mr. Edward Allen, 194, 199, 320.
- Talbot Settlement, 162, 167.

- Taylor, Mr., a Teacher in Port Hope, 319.  
 Teachers prior to 1800, 31.  
 Teachers in the Home District in 1820-22, 183.  
 Teachers, Qualifications of, in 1799, 33.  
 Teachers, Sketches of Noted, 40, 47.  
 Teachers of Grammar Schools in Upper Canada to 1830, 308, 309.  
*Telegram*, Toronto, 35, 286.  
 Thirkell, Mr., Teacher in St. Catharines, 320.  
 Thompson, Mr. William, 232.  
 Thomson, Mr. David, a Teacher and Author, Niagara, 229.  
 Thomson, Mr. Hugh C., 90, 93, 131, 132, 200, 259.  
 Thorold, School House in, 168.  
 Thorpe, Hon. Mr. Justice, 52, 59, 67, 121.  
 Tolkien, Mr., Private School, Kingston (1817), 130.  
 Traves, Mr. Deacon, Teacher in Port Rowan, 30.  
 "Trent Affair," The, 56.  
 Trustees of Grammar Schools (1807), 61 ; (1824) 198.  
 Tyler's Boarding School, Niagara, 31, 33.  
 University of King's College. (*See* Charter and King's College.)  
 University Representation. (*See* Representation.)  
 Upper Canada College, iv., 284, 285, 286, 287, 289, 291, 299, 301, 305.  
 Urquhart, Rev. Dr. Hugh, 231, 265, 309, 321.  
 Vaux, Mr. Thomas, 183.  
 Vaukoughnet, Hon. Philip, 43, 111, 112, 115, 118, 136, 139, 169, 184, 231.  
 Victoria University, iv.  
 Walker, President of Harvard University, vi.  
 Walker, Mr., Teacher in St. Catharines, 320.  
 Walsh, Mr. Francis L., 233.  
 Ward, Mr. George, Port Hope, 319.  
 Washburn, Mr. Ebenezer, 48, 49, 50, 51, 57, 58, 63.  
 Waterloo School House Bill, 200.  
 Watkins, Mr. John, Teacher, Belleville, 31.  
 Weager, Mr. John, 48, 49.  
 Weekes, Mr. William, 50, 52, 59, 67, 181, 189.  
 Wells, Hon. Joseph, 177, 196, 226, 256, 264, 276, 305.  
 Wesley, Rev. John, 37.  
 West, Rev. John, Indian Missionary, 40.  
 Wetenhall, Mr. John, 289.  
 White, Mr. Reuben, 184.  
 Whitelaw, Dr. John, Teacher, Kingston and Niagara, 83, 90, 130, 156, 309, 320.  
 Wilkie, Sir David, 41.  
 Wilkinson, Mr. Alexander, 282.  
 Wilkinson, Mr. John A., 292, 300.  
 Willcocks, Mr. Joseph, 50, 52, 63, 66, 67, 68, 70, 71, 73, 75, 76, 78.  
 Willis, Mr. William, Contribution by, 319.  
 Willson, Hon. John, 94, 99, 100, 101, 181, 184, 199, 200, 235, 287, 239, 242, 243, 260.  
 Wilmot, Mr. Samuel D., 184.  
 Wilson, Mr. Crowell, 66, 67, 68.  
 Wilson, Mr. James, 67, 200, 232, 247, 248, 260.  
 Wilson, Rev. John, Teacher, Kingston, etc., 132, 227, 309.  
 Wilson, Mr. Nicholas, Teacher, London, Ont., 320.  
 Winthrop, Governor John, 39.  
 Wolfe, General, 6, 15.  
 Woodruff, Mr. William, 260, 262, 292.  
 Workman, Dr. Joseph, 289.  
 Wright, Rev. William, Teacher, Belleville, 31.  
 Yeigh, Mr. Frank, 64, 100.  
 Young, Mr. James, 85, 86.  
 York District Grammar School. (*See* Blue School, Old.)

## ERRATA.

- Page 9, first line, for "laying the corner stone of King's College," read *opening of King's College*.  
 Page 49, head line, the date 1804-5 is omitted. In the nays in this page for "Issac" read *Isaac*.  
 Page 50, in 12th line from the bottom of the page, for "and American" read *an American*.  
 Page 50, in 4th line from the bottom of the page, for "neither bills were passed," read, *neither bill was passed*.  
 Page 57, in 9th line from the bottom of the page, for "Publc" read *Public*.  
 Page 59, in 12th line from the bottom of the page, for "whereb" read *whereby*.  
 Page 64, in 5th line from the bottom of the page, for "Veigh" read *Yeigh*.  
 Page 72, in 10th line from the top of the page, for "Rapelge" read *Rapelje*.  
 Page 93, in 15th line from the bottom of the page, for "Thompson" read *Thomson*.  
 Page 133, in 6th line from the top of the page, for "peripathetic" read *peripatetic*.  
 Page 158, in 6th line from the bottom of the page, for "whom" read *who*.  
 Page 175, in 16th line from the top of the page, for "Thos. Caldicott" read *Thomas Ford Caldicott*.  
 Page 184, in 17th line from the bottom of the page, for "in 1825" read *in 1823, 1825*.  
 Page 208, in 7th line from the bottom of the page, for "18 January, 1829," read *18 January, 1827*.  
 Page 210, in 3rd and 5th lines from the bottom of the page, for "1825" read *1827*.  
 Page 242, in 6th line from the top of the page, for "Speaker" read *Chairman*.







Bath Acad. 1811

Greenham Acad. 1830

Down

p11

p45

60

95

103

106

126

132

133-5

154

162

Leather the examined by Dist Bd

→ 196

Shuchem Report

266

269

270

Stat of weaving in U C 1814

p 80



J.M. 5/18/44

Oct 7 1807 - p 60

1816 - 102 Dist Bds appptd

minor Schms 1819 - 148 - 10 poor pupils

minor " 20 - 172 - grant cut down

24 197 - Genl Bd of Ed reorganizes

reforms of the Education Act

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